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ABSTRACT

Massachusetts's Chapter 622 and U.S. Title IX regulations both prohibit discrimination by educational institutions. This guide is designed to assist administrators, particularly in Massachusetts, in complying fully with the spirit and letter of these regulations. The guide is divided into thirteen chapters, seven of which use parallel format to cover application of the regulations and compliance techniques to seven specific program areas: admissions, curriculum, guidance, extracurricular activities, scholarships and awards, inservice education, and personnel practices. Other chapters deal with the role of the 622/IX coordinator, annual requirements, complaints and grievances, systemwide planning, organizational dynamics, and resource usage. Five basic practices are encouraged through all these chapters: thorough planning, the involvement of staff at all levels, careful strategy development, research on new educational directions that can be developed through implementation of the regulations, and full utilization of the 622/IX coordinator. Pertinent regulations are summarized at the beginning of each chapter, and all chapters are provided individual tables of contents to permit easy assess to specific information sought by the user. The suggestions provided for compliance activities and techniques are synthesized from practice in schools throughout Massachusetts. (Author/PGD)

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a guide for administrators

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BUREAU OF EQUAL EDUCATIONAL OPPORTUNITY

Dear Colleagues,

Some months ago, when the Board of Education was considering changes in the Chapter 622 regulations, we received a number of letters from educators and others concerned about the implementation of this law, suggesting how we might clarify or make more specific a variety of its provisions. These suggestions made so much sense that the idea was born of producing an "administrator's handbook" of practical advice gathered from the experience of hundreds of school districts in Massachusetts.

The primary resource in the development of this handbook has been the experience of the regional staff members with 622 responsibilities--Pat Brown, Jim Mignard, Natalie Miller, DeLois Swan, and Mary Kay Tetreault, in working with Chapter 622/ Title IX coordinators in school systems. The ideas and successful experiences--and some unsuccessful ones as well--have been gathered into the guide by Laura Saunders and Anne Cleaves of New Environments for Women.

We want to underline, in this introductory note, a recurring theme of the guide, that corrective and remedial measures, while essential and mandated by law, should be seen as temporary, and that districts will be well advised to begin now to make the basic changes which will have a permanent effect upon the quality of education for all students.

These basic changes require educational leadership. The experiences upon which this guide is based bear witness that such leadership is available in Massachusetts, and that it has the ability to enlist the energy and enthusiasm of teachers, parents, and others concerned with education and equal opportunity.

We look forward to continuing to work with you to strengthen the opportunities available to every student in the Commonwealth.

Cordially,

Marlene Godfrey

Marlene Godfrey, Project Director for Chapter 622

Charles Glenn

Charles Glenn, Director

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Preface

Approach and Scope of the Guide

This guide is intended to serve as a resource for public school administrators as they implement the regulations of Chapter 622 and Title IX. It does not mandate new actions for school systems. Rather, it suggests strategies and approaches that will aid school districts in achieving full compliance with the spirit and letter of these regulations.

The approaches considered have been synthesized from experience with school systems all over Massachusetts. The innovative strategies suggested come directly from administrators who have employed them with success.

The effort to achieve full compliance with 622/IX takes a school system beyond the process of changing policies that have had discriminatory effects, to a fully coordinated program of active efforts addressing the issue of equal educational opportunity. In this context, An Administrator's Guide seeks to illuminate the fundamental relationships between the basic tenets of the law and positive educational change.

Throughout, the guide emphasizes the importance of the following practices in relating 622/IX compliance efforts to educationally beneficial outcomes:

- planning;
- involving staff at all levels;
- careful strategy development;
- researching new educational directions that can be developed through 622/IX implementation;
- utilizing the role of the 622/IX coordinator for maximum effect and benefit in achieving full compliance.

The 622/IX coordinator is a central focus of the guide. Experience has shown that implementation efforts are most effective when this leadership role is successfully executed. Superintendents will find the guide a useful starting point for clearly defining the 622/IX coordinator's responsibilities and designating the appropriate individual to serve in that role.

Systems will find that the process of fully achieving the letter and spirit of the laws takes time and attention, but it does not require the commitment of extensive resources. It is realistically within the grasp of all school systems that pursue it.

How to Use the Guide

This guide is meant to be used as an interpretive work, a reference book, a source of ideas, and a link to other, more specialized resources. While the regulations pertaining to each area of school operations are summarized at the beginning of each chapter, the guide should be used as a supplement to, rather than as a substitute for, the regulations themselves.

Administrators will probably find that front-to-back reading is less helpful than selective use of the various sections to chart new directions, organize planning strategies, and locate answers to specific questions.

The guide is structured to permit easy access. The table of contents lists the thirteen major sections or chapters. Each chapter is headed by its own more detailed listing of contents.

The chapters on program areas have been designed to be as parallel in structure as possible, so that readers can locate similar types of information across chapters. Each one presents the regulations pertaining to that area, followed by a list of minimum objectives for school systems to pursue in achieving adequate compliance. A discussion of methods and approaches--policy-making, self-evaluation, planning, and staff development, in particular--highlights the fundamental elements that go into effective implementation in that area. Suggested activities for the coordinator sketch some typical and/or particularly applicable efforts that the person in this key role can contribute to implementation in that area. Finally, each chapter suggests resources that coordinators and other system personnel can look to in developing the implementation program.

Finally, the pages are perforated so users can exercise the option of taking chapters out and organizing them in separate binders, adding to them the notes and documents relating to compliance that the school system acquires. Since chapters can be used independently, coordinators can copy and distribute sections relevant to the needs of particular staff members.

A coordinator might find the following steps a helpful approach to the guide:

- Review the table of contents and the chapter headings, and check off unfamiliar sections to be read in depth.
- Use the minimum objectives checklists at the beginning of Chapters III through IX to get a rough idea of where the school system stands, and target areas for further attention.
- Pay particular attention to areas in which the system has not yet taken action.
- Review Chapter II, Annual Requirements, to make sure the system has instituted the minimum yearly cycles.
- Then, refer to the guide regularly for answers to specific questions and for guidance in strategy planning.

The coordinator's role is delineated in Chapter II, Role of the Coordinator, and elaborated in "Suggested Activities for the Coordinator" in subsequent chapters.

Factors contributing to success are also covered in Chapter II, as well as in Chapter XII, Organizational Dynamics and 622/IX Implementation.

A yearly planning cycle is covered in Chapter II, Annual Requirements, and Chapter XI, System-Wide 622/IX Planning.

Annual self-evaluation is treated extensively in Chapter II, Annual Requirements, as well as in chapters on program areas.

Resources, both human and written, are briefly discussed at the end of each chapter and more extensively covered in Chapter XIII, Using Resources.

Relationship Between Chapter 622 and Title IX

The primary emphasis of this guide is the full implementation of Chapter 622. For the most part, full implementation of 622 will address the requirements of Title IX, except in the area of employment practices.

Title IX is referred to throughout the guide. Comparable regulations are cited together, and where they differ in terms of fine lines or specificity, the stronger and more defined regulation must be followed.

The usage "622/IX" in the text of this guide means that the particular objective, activity, or role--when fully pursued--will develop simultaneous compliance under both laws. Staff should also refer to Title IX and Chapter 622: Compliance Guidelines for Public Schools* for specific analysis of areas in which the regulations for the two laws overlap or differ.

*Available from the Bureau of Equal Educational Opportunity.

Technical Assistance from the Department of Education

Every 622/IX coordinator should be aware of the role of the State Department's Bureau of Equal Educational Opportunity as a source of support, technical assistance, and resources for staff who are making efforts to bring their school systems into full compliance.

The regional 622 coordinators, with offices in the regional education centers, are available with information and assistance to system 622/IX coordinators. Each regional center has a resource collection of materials on eliminating discriminatory educational practices and on achieving the goal of equal educational opportunity for all students in a context of positive educational development.

I. The Role of the Coordinator

CHAPTER CONTENTS

Why a 622/IX Coordinator?
- Two Perspectives on the Role

The Letter and Spirit of the Law
- Legal Responsibilities for Implementation

Professional Characteristics of the Coordinator
- Who Are the 622/IX Coordinators in Massachusetts?

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- How Coordinators See Themselves

WHY A 622/IX COORDINATOR?

Under Title IX, each school system must "designate at least one responsible employee to coordinate its efforts to comply with and carry out its responsibilities under this Regulation..."*

The Bureau of Equal Educational Opportunity has assigned a 622 staff member to each regional education center and has asked each school department to identify a coordinator who can link the Department of Education with the process of implementation in the system.

Many systems have effectively combined the Title IX and Chapter 622 roles in one job, though some have assigned the Title IX employment-related duties to a staff member who is already handling the personnel function for the system (see Chapter IX, Personnel Practices). For the purpose of this guide, Chapter 622 and Title IX duties are assumed to be held by one coordinator.

Two Perspectives on the Role

From the legal perspective, one person in each school system needs to oversee and coordinate the process of achieving compliance with federal and state laws. In this respect, the coordinator sees that the school system is not vulnerable to legal action.

From the perspective of educational change, the coordinator can be a key figure in teaching the entire school community about the causes and effects of discrimination and bias. The coordinator is a change agent within the system, helping administrators and teachers develop and implement strategies for full compliance with the letter and spirit of the law.

THE LETTER AND SPIRIT OF THE LAW

In fact, the legal and educational approaches to the role are inseparable. School systems cannot assume that minimum compliance efforts will suffice in bringing about system changes implicit in the 622/IX regulations.

Chapter 622 regulations devote an entire section to active efforts required of school systems to insure that necessary changes take effect. This section specifically cites the responsibility of school committees to set policies mandating corrective and remedial action, and of the superintendent to see that these policies are carried out.

Legal Responsiblities for Implementation

The superintendent and the school committee are legally responsible for implementing Chapter 622 and Title IX in policy and in practice. The coordinator is the superintendent's designated agent in facilitating this process throughout the school system. In the last analysis, every staff member has a professional obligation to comply with the law and may be held accountable by the superintendent.

PROFESSIONAL CHARACTERISTICS OF THE COORDINATOR

In the experience of Massachusetts school systems, several professional and personal qualities have been identified as characterizing the most effective coordinators. These include:

- The administrative and management abilities to--

  organize and plan well;

  delegate tasks and supervise their performance;

*Specific job responsibilities for the Title IX coordinator are set out in Complying with Title IX: The First Twelve Months, published by the Resource Center on Sex roles in Education and available at regional education centers.

make and carry out decisions;

persuade and influence others on policy and practice;

understand organizational processes and "the way to get things done";

negotiate and resolve conflicts;

develop and nurture others' ability to change.

- A knowledge base about equal opportunity and discrimination, and the willingness to learn more in the areas of--

  awareness of the facts and impact of bias and discrimination and the educational issues that led to the passage of Chapter 622 and Title IX;

  understanding of the legal implications and ramifications for school systems;

  personal and professional awareness of own attitudes and values.

- A personal commitment to effectiveness in the role, and to helping develop effective responses in the school system.

Who Are the 622/IX Coordinators in Massachusetts?

Approximately half of all 622/IX coordinators in Massachusetts school systems are either superintendents, assistant superintendents, or other central office administrators. Another 25 percent are in guidance or other service-related positions. The rest are principals, athletic directors, curriculum coordinators, or, in a few cases, teachers.

There is no one "right" area of the school organization in which the coordinator's role should be located, no single characteristic that guarantees effectiveness in the role.

IMPORTANT CHARACTERISTICS OF THE ROLE

The coordinator's role itself needs to be framed so that its incumbent can carry out the responsibilities. To be most effective, a coordinator should be provided with the following model conditions:

- clear, consistent, and regular communication with the superintendent;
- clear, well-understood message from the superintendent to all school system personnel that the 622/IX coordinator is the superintendent's "agent" for carrying out the letter and spirit of the law;
- legitimate authority (preferably line) within the system;
- access to decision-making processes for system-wide policy;
- access to principals and other building administrators as well as central office administrators;
- sufficient time to implement the actions necessary to achieve full compliance.

SIGNIFICANT FACTORS IN THE SCHOOL SYSTEM

A school system's organizational dynamics can contribute to (or inhibit) the coordinator's effectiveness. (See Chapter XII, Organizational Dynamics and 622/IX Implementation, for greater examination of these issues.) The following organizational characteristics will clearly support the work of the coordinator:

- responsible policy-making by the school committee;
- capable and respected leadership of the superintendent;
- clearcut management functions and responsiblities throughout the system;
- smoothly operating policy development and planning cycles for the system;
- clear charnels of communication and information dissemination throughout the system;
- staff commitment to the school system as a whole, and willingness to follow the administration's lead;
- top system priority given to continuing staff development and regular curriculum up-dating and improvement, and a firm commitment to develop the full potential of each student.

The size and complexity of the school system will also determine what the coordinator must be equipped to do. A complex urban system requires that the coordinator hold a central administrative role, with access to all channels of communication and decision making in the system and time and resources allocated for implementation responsiblities. A small system may find its needs effectively met by a respected teacher who understands the legal and educational issues and has access to, and support from, the superintendent.

The scope of what needs to be done to fully implement 622/IX regulations adds another dimension to structuring the coordinator's role and designating the person to fill it. The requirements of a system in which many compliance issues are unresolved and whose staff members need considerable preparation to carry out changes will differ from the requirements of a system in which staff is committed to implementation, or in which fewer major compliance issues are pending.

THE ROLE OF THE SUPERINTENDENT

The superintendent's commitment to bringing the school system into compliance is expressed in good measure by the choice of 622/IX coordinator and by the quality of their working relationship. The coordinator does not replace the superintendent and school committee as the legally responsible agent.

> The delegation of authority/responsibility may be the decision most crucial to effective implementation....Although many of the work activities may be delegated to the designated employee or Title IX Coordinator, it is critical that responsiblity for monitoring and involvement be retained by the chief administrative officer.*

Superintendents need to analyze their systems' implementation requirements and, then, take steps to choose a coordinator who is suited to the task (or can be prepared with further training) and plan for adequate resources and support for the role.

Supporting the Coordinator

The supports which a coordinator needs from the superintendent fall into three categories.

First, the coordinator must have time to do the work well. Financial compensation for this commitment of time and energy should reflect a fair assessment of the scope and size of the job. The superintendent should take this into account in designing the role.

Second, the superintendent needs to develop regular mechanisms for main-

*Resource Center on Sex Roles in Education, Complying with Title IX: The First Twelve Months, p. 23.

taining contact with the coordinator, staying informed of activities and progress, and being available for troubleshooting and problem solving as the occasion arises.

Third, the superintendent should arrange any training needed to supplement the coordinator's experience and knowledge in the following areas:

- legal and programmatic issues of 622/IX;
- organizational dynamics;
- communication, decision-making, and problem-solving skills.

THE ROLE OF PRINCIPALS IN RELATION TO THE COORDINATOR

Because principals are the link between the central administration and the teachers and departments within the schools, their role in 622/IX implementation is crucial to its effectiveness. The appropriate working relationship between principals and the 622/IX coordinator is one that fosters mutual exchange of information.

By keeping principals informed directly of 622/IX-related system policies and planning objectives, the coordinator can help them synchronize building policies and plans with the system's. Principals contribute the day-to-day working knowledge of staff and programs that can refine strategies for maximum usefulness.

The coordinator needs regular access to communications between principals and the superintendent about planning and programs, to assure consistency with 622/IX.

SIX FUNCTIONAL CATEGORIES OF THE COORDINATOR'S ROLE

Regulatory/Compliance

The coordinator sees that all administrators, teachers, guidance counselors and other staff are fully informed of 622/IX regulations and what they imply for their work. He/she regularly monitors progress on planned compliance changes. He/she uses all available resources the system has, or to which it can provide access, to bring a non-compliant area into compliance.

This function implies that the coordinator has direct access to channels of communication throughout the system to stay informed of new developments and possible instances of non-compliance. The coordinator obtains administrative rulings from the Bureau of Equal Educational Opportunity in case of question and, when necessary, asks Bureau staff for direct assistance in correcting and remedying problems.

Information Clearinghouse

The coordinator establishes a central location to which teachers and administrators can come to learn about 622/IX, get questions answered, and look into resources to help them set goals for change, develop curriculum, or locate further information.

This function can be handled by a well-put-together resource collection (see Chapter XIII, Using Resources) backed up by the coordinator's accessibility. The coordinator seeks information on new developments in the field and in legal interpretations of the regulations. He/she collects, reviews, and disseminates 622/IX-related information to relevant staff members or groups in the system.

The coordinator is responsible for annual notifications to students, parents, and staff, and for including the equal opportunity notice in all publications and dealings with agencies outside the school system (see Chapter II, Annual Requirements).

Complaint Management/Negotiation

The coordinator insures that all parents, students and staff know how to use the grievance procedures for Chapter 622 and Title IX, as well as less formal mechanisms for resolving complaints (see Chapter X, Handling Complaints and Grievances).

The coordinator promptly and courteously responds to all complaints in substantive ways and serves as a mediator in efforts to resolve differences.

Leadership/Administration

With the support of the superintendent, the coordinator establishes and uses whatever administrative structures are needed to implement 622/IX fully. The coordinator provides liaison with the State Department of Education and the Office for Civil Rights. Most importantly, the coordinator is a visible, vocal presence in support of equal educational opportunity.

Record-keeping. The coordinator maintains a permanent file of all documents and records pertaining to 622/IX regulations and implementation. These will include the Title IX and Chapter 622 self-evaluations and reports of the findings, recommendations, and policies following from them; annual notices to parents, students, staff, and the community; correspondence and other documents related to grievance procedure; documents pertaining to program development, in-service programs, curriculum review, and so forth.

The 622/IX file is to be maintained as an open file. Anyone within the system or from the community may ask to see it, and the coordinator should make it easily accessible.

Delegation. The coordinator should be able to delegate implementation responsiblities. For example, data collection for the annual self-evaluation can be done and synthesized at a building-by-building level under principals, or at a department-by-department level under the faculty department heads.

Coordinators can request regular updates in writing from principals on progress toward specific objectives which came out of the previous year's self-evaluation. Responsibility for designing in-service programs can be delegated to an interested teacher. The coordinator can collect information on funding for model programs and delegate responsibility for forming a proposal-development team to several teachers and administrators.

Planning and Evaluation

The coordinator conducts the annual K-12 self-evaluation required by Chapter 622 (see Chapter II, Annual Requirements) and works with the superintendent to develop policy and program objectives and related budget items each year. The coordinator helps the superintendent monitor progress on previously-established objectives and makes regular recommendations for improvements to the superintendent.

Innovation/Creative Action

Through setting objectives for improvements based on the annual evaluations, through well-developed in-service programs, and through consistent encouragement of teachers to find creative responses to the law, the coordinator can effectively stimulate educational development efforts around the principle of equal educational opportunity. The coordinator collects and disseminates resources to staff; arranges for staff members to attend professional development opportunities related to 622/IX; and works with teachers and administrators to build strategies to develop commitment, interest, and skills throughout the system to achieve equal educational opportunity for all students.

SOURCES OF SUPPORT FOR THE COORDINATOR

Coordinators can look to a number of different sources of support in implementing 622/IX.

The laws. The laws themselves are fundamental supports. When staff at all levels in the school system understand the legal basis of policy and program changes, full implementation is most likely to take place.

Staff. As the superintendent's agent in implementing 622/IX, the coordinator must have the superintendent's backing.

Other staff in the system who are already aware of the issues and willing to work on implementation are invaluable resources. In a number of school systems, teachers and administrators have organized departmental or building Chapter 622 committees.

Other coordinators. Coordinators can also derive support from each other through informal contacts (such as exchanging resources) and through formal organization (regular meetings with other coordinators in the same area).

The Department of Education. Finally, all coordinators in school systems have the interest and backing of the Bureau of Equal Educational Opportunity and their regional 622 coordinators. Regional coordinators can provide the following kinds of assistance:

- meet with system coordinators around specific issues;
- run workshops and forums for coordinators so they can exchange information and strategies;
- give feedback on specific change targets to superintendents and school systems through the monitoring process;
- provide a complete selection of relevant materials in the regional resource centers.

CONCLUSION

The Basis of Success in Coordinating Implementation

In summary, the following factors contribute most to the success of the 622/IX coordinator:

- the coordinator's own interest, commitment, alertness, leadership ability, and willingness to be active;
- the coordinator's positive, accessible working relationship with the superintendent, and legitimate authority derived directly from the superintendent;
- time enough to do the work thoroughly and well;
- the respect and goodwill of system staff.

Sources of Difficulty in Coordinating Implementation

The difficulties coordinators have experienced in fulfilling their responsibilities fall into three general categories:

- lack of staff awareness of and commitment to the principle of equal educational opportunity and the specifics of the implementing regulations;
- too little time;
- inadequate training and preparation for the job.

All of these can be remedied by positive measures, planned by the superintendent and coordinator, with the assistance of this guide and the regional 622 coordinator.

How Coordinators See Themselves

The most active and productive 622/IX coordinators see themselves as key agents in bringing their school systems into compliance with the law. They see that conscious effort is required to eliminate bias and discrimination and to establish workable remedies. They are aware that their system's vulnerability increases with each year that passes in non-compliance.

Second, they see their role as one that puts them in a position of professional commitment and obligation to equal educational opportunity. They are aware that, as professional educators, they must provide all students with equal access to a variety of educational opportunities.

Finally, many coordinators discover that as their understanding of the existence and impact of discriminatory educational policies and practices develops on the job, they develop a deep personal commitment to fulfilling their professional responsibilities to equal educational opportunity as effectively as they can.

II. Annual Requirements

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Annual Notice to Students
- The Regulations
- Content of Notice
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- Evaluation and Implementation
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- Designing the Self-Evaluation
- Factors in Successful Self-Evaluation
- Staff Involvement in Self-Evaluation
- Characteristics of a Model Self-Evaluation
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- Resources

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Problem Areas in Meeting Annual Requirements

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CHECKLIST OF ANNUAL REQUIREMENTS

☐ Annual notice to parents	before November 1
☐ Annual notice to students	beginning of each school year
☐ Annual K-12 self-evaluation	before annual program and budget decision making

ANNUAL NOTICE TO PARENTS

The Regulations

Chapter 622

8.05 At the beginning of the school year, the superintendent of each school system shall be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of Chapter 622 and its implications. Such notice shall include the information that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, color, sex, religion or national origin. This notice may be included with other communications sent to parents by the school system. Upon request, the Department of Education shall provide a translation in requested languages to assist superintendents in complying with this section. The superintendent shall inform the community of the existence of the law and of its implications through newspaper releases or radio or television announcements.

Title IX

86.9 Each recipient shall implement specific and continuing steps to notify...students and parents of elementary and secondary school students, employees...that it does not discriminate on the basis of sex in the education programs or activities which it operates, and that it is required by Title IX...not to discriminate in such a manner. Such notification shall contain such information, and be made in such manner, as... necessary to apprise such persons of the protections against discrimination assured them by Title IX...and that inquiries concerning the application of Title IX...to such recipient may be referred to the employee designated...or to the Director (of the Office for Civil Rights, HEW).

Coordinators can contact their regional centers for 622 notification letters in Spanish, Portuguese, Italian, Chinese, and Greek. The coordinator must keep a copy of each annual notification on permanent open file.

Content of Notice

One publication may be used to notify for the provisions of both laws, but it must clearly indicate the following:

- Chapter 622 (state) and Title IX (federal) regulations are two separate coverages. This is most easily done by stating the specific coverage of Chapter 622 and of Title IX in separate paragraphs.
- Each law provides parents and students with a specific channel of legal recourse, independent of the other. (See Chapter X, Handling Complaints and Grievances.)
- A coordinator (identified by name, office address, and telephone number) is available to respond to questions and concerns.

Means of Communication

Schools can use many channels of communication in addition to the annual letter to parents in developing parental understanding of the regulations and their implications for the school program.

In addition to sending notices home with students, some school systems have reprinted and distributed the "622 Questions and Answers" flyer (Massachusetts Department of Education) on parents' night and other parent-attended events. Teachers and guidance counselors can distribute materials during parent conferences. The 622/IX coordinator can organize presentations to PTA/PTC groups and might contact local organizations with interest and expertise in non-discriminatory education for assistance.

Effectively carried out, this notification process can generate informed support for the school system's implementation efforts. Parents want to know how 622/IX relates to educational policies and practices that will benefit their children. Parents have been particularly responsive to concrete changes when they realize that new options are open to their children.

The Bureau of Equal Educational Opportunity is a source of technical assistance in developing dynamic approaches to parent awareness and involvement.

The General Public

Chapter 622 also requires notification of the general community through radio and television as well as newspapers. Coordinators and concerned administrators can add the positive element of face-to-face contact by addressing community groups to explain the laws and how they are affecting the school system's educational policies and programs.

ANNUAL NOTICE TO STUDENTS

The Regulations

Chapter 622

8.06 The superintendent shall ensure that all students are annually informed in a manner certain to reach them of the existence of Chapter 622 and its implications. Students shall be informed that all courses of study, extra-curricular activities, services, and facilities offered by the school are available without regard to race, color, sex, religion or national origin.

Title IX

86.9 Each recipient shall implement specific and continuing steps to notify...students and parents of elementary and secondary school students, employees...that it does not discriminate on the basis of sex in the education programs or activities which it operates, and that it is required by Title IX...not to discriminate in such a manner. Such notification shall contain such information, and be made in such manner, as... necessary to apprise such persons of the protection against discrimination assured them by Title IX...and that inquiries concerning the application of Title IX...to such recipient may be referred to the employee designated...or to the Director (of the Office for Civil Rights, HEW).

The coordinator must keep a copy of each annual notification on permanent open file.

Content of Notice

As with the parent notification, the same document may cover both Chapter 622 and Title IX notification, but the two must be clearly presented as

separate coverages. The notice must cover the following points:

- a separate description of each law;
- the grievance procedures for students to follow under each law;
- the coordinator's name, office address, and telephone number.

Means of Communication

There are many ways to inform students "in a manner certain to reach them." The following approaches have been used by school systems:

- student handbooks;
- Student Council materials;
- presentations at orientation sessions and assemblies;
- group presentations and individual explanations through the guidance department;
- posters and bulletin board displays (which students themselves can make);
- classroom activities in which students participate.

A pamphlet circulated by one Massachusetts secondary school on the provisions of 622/IX gives one-paragraph discussions of regulations in thirteen different areas, including admissions, curriculum, extra-curricular activities, guidance, physical education and sports, awards, active efforts, and complaint procedures for parents and the community, students and staff.

ANNUAL K-12 SELF-EVALUATION

The Regulations

Chapter 622

8.01 The school committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to insure that all obstacles to equal access to school programs for all persons regardless of race, sex, color, national origin, religion, or limited English-speaking ability, no matter how subtle or unintended, are removed. Such policies shall include a requirement for an annual evaluation of all aspects of the K-12 school program to insure that all students regardless of race, color, sex, religion, or national origin are given an opportunity to develop skills, competence, and experience, and to receive appropriate guidance so that they may be able to participate in all programs offered by the school including athletics and other extra-curricular activities. Special attention shall be given in this examination to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly underrepresented.

8.04 The superintendent, as an agent of the school committee, shall promote and direct effective procedures for the full implementation of these regulations, and shall make recommendations to the committee for the necessary policies, program changes and budget resource allocations needed to achieve adherence to these regulations.

Title IX required that an initial in-depth self-evaluation regarding sex discrimination be completed by July 21, 1976 and maintained on file within the school system. This evaluation is to be updated regularly for three years, until full compliance is achieved.

Chapter 622 regulations require each school system to conduct an annual K-12 self-evaluation for discrimination and bias not only on the basis of sex but also regarding race, color, religion, national origin, and limited English-speaking ability.

School systems are not required to submit a copy of their self-evaluation to the Department of Education, but the coordinator must maintain a file of such documents.

Evaluation and Implementation

It is the coordinator's responsibility under Title IX, to--

- conduct the self-evaluation; and
- put together a report on the findings.

It is the superintendent's responsibility under Chapter 622 to--

- review the findings of the annual self-evaluation;
- approve the evaluation; and
- present the report to the school committee with recommendations for adapting existing programs and initiating new programs and budgetary allocations where it is necessary for implementation.

It is the school committee's responsibility to--

- review and discuss the report and recommendations before annual program and budget decisions are made; and
- take action and make decisions based on the superintendent's recommendations.

Evaluation Objectives

The following include the major objectives of self-evaluation for 622/IX:

- to have reviewed for discrimination and bias with regard to sex, race, color, religion and national origin--

  all written and other communications;

  all curriculum and other programs;

  all budget allocations and school supports;

  all extra-curricular activities;

  all facilities;

  all supplies, publications, and materials;

- to have developed a comprehensive set of improvement objectives based on the findings of the review;
- to have specified detailed activities, responsibilities, and time-lines for each objective defined;
- to have established a reasonable and workable system of accountability and reporting which monitors progress toward objectives.

The intent of the laws and their regulations is, quite simply, to eliminate discrimination and bias from all aspects of the operations of school systems and to provide a framework for equal educational opportunity. School systems can use the self-evaluation as their major system-wide planning vehicle for 622/IX-related changes.

A note on athletics. 622 regulations specify how the athletics budget is to be presented to the school committee. The budget for each school must enumerate

> *...the anticipated expenditure for each interscholastic and intramural athletic activity and the anticipated student participation in that activity by number and sex. (6.06)*

The budget should reflect student interests as assessed according to 622 regulations.

Athletic budget adjustments and reallocations are likely to attract attention beyond the school system because money is involved and because boys' secondary interscholastic athletics are popular and emotionally-charged community events. Systems have found, however, that this same phenomenon can also work for change. As parents become aware that expensively-equipped boys' programs may deny their daughters access to adequately developed athletic programs, they can be a source of strong support for budgetary reallocation to finance equal opportunity.

Designing the Self-Evaluation

Implementing Institutional Self-Evaluation* gives a comprehensive and detailed outline for setting up an evaluation for Title IX. Applying the principles of non-discrimination to the expanded protection of Chapter 622, school systems in Massachusetts can use it as a model for designing their own instruments to assess policies and programs for discriminatory and biased intent or effect.

For example, the action checklist it suggests for counselors to use in assessing their role in access to vocational education courses can be adapted as follows:

- Have you made yourself familiar with the implications of Chapter 622 and Title IX regulations regarding nondiscrimination in student access to courses as they pertain to counseling services?
- Have you reviewed your counseling policies, practices, and materials to assess their compliance with 622/IX and modified them where necessary?
- Have you made it clear to all students that all vocational educational courses, programs, and schools are open equally to students of both sexes in all ethnic and linguistic groups?
- Have you reviewed all tests used in assignment, referral or placement of students in courses/programs/schools of vocational education to ensure that they do not have a disproportionately adverse effect on students of one sex or any ethnic or linguistic group?
- If materials which do have such effect are used,

  have these materials been demonstrated to validly predict success in the course/program in question?

  have other materials that do not have such effect been shown to be unavailable?
- Have you reviewed vocational course/program enrollments to identify any courses/programs in which the enrollment of students of either sex is less than 20 percent, and/or the enrollment of students of any ethnic or linguistic group is significantly different ($\pm$ 5 percent) from that group's enrollment in the entire school system?

*This publication by the Resource Center for Sex Roles in Education is available at the regional education centers and has been supplied to every superintendent by the federal government.

- If you have identified courses or programs with such a disproportionate enrollment, have you taken steps to assure yourself that this is not the result of racial or sexual discrimination in counseling practices or of materials that discriminate according to race, color, sex, religion, national origin, or command of English?

- Have you discussed with your building administrator or supervisor any possibilities or instances of discrimination you have identified in policies, practices or materials relating to student access to vocational education?

Adapting items from Implementing Institutional Self-Evaluation to serve the broader coverage of Chapter 622 will require considering factors like the percentage of students of a given group in the total population of the school or system. Chapter XIII, Using Resources, lists places to contact for materials that will be useful in constructing evaluation capabilities specifically concerned with race and ethnic discrimination.

The Title IX self-evaluation model does not suffice in and of itself as the superintendent's annual 622 report. Nonetheless, it suggests specific areas to review in assessing compliance that should be incorporated into annual planning, decision making, and budgeting procedures. (See Chapter XI, System-Wide 622/IX Planning, for a discussion of this aspect of implementation.)

Factors in Successful Self-Evaluation

The coordinator's ability to plan the annual data collection with care, streamline the process, and delegate responsibility for specific tasks to others in the system, can make the self-evaluation a problem-solving instrument in the implementation process. The information it yields can form the basis for in-service programs, building-level planning, and/or teacher planning.

Consistent procedure, staff involvement, and accountability are not unique to the requirements of this evaluation. Indeed, the systems with the most successful compliance programs for 622/IX have well-developed management systems in place, with planning cycles and objectives-setting processes functioning smoothly. (See Chapter XII, Organizational Dynamics and 622/IX Implementation.) In such contexts, annual institutional self-evaluation for 622/IX has proved a useful and solution-oriented tool.

Staff Involvement in Self-Evaluation

Delegating self-evaluation tasks to a broad number of people in the system has two benefits. First, because the coordinator's time is not consumed in data collection, he/she can devote those energies to analyzing and synthesizing the information, preparing a full report on the findings for the superintendent, and framing recommendations.

Second, a number of building administrators, teachers, and counselors can be drawn into the compliance process. This participation can increase their awareness of the educational and regulatory issues, enrich their understanding of implementation, and provide them with an opportunity to contribute their expertise to the process.

Delegation of evaluation tasks requires thorough preparation. Contributing staff must be trained to know what they are looking for, to recognize evidence of discrimination and bias. (See Chapter VIII, In-Service Education.) Further, the coordinator must work with all administrators to set up clear structures of reporting and accountability before the information gathering begins. If the quality of information is not monitored, the evaluation, recommendations, and subsequent planning can be hampered.

Self-evaluation can operate in school as an ongoing process.

> For example, an evaluation form developed by the high school social studies department in one Massachusetts school system consists very simply of three columns headed 622 Regulations, What Is, and What Should Be.

This very open scheme, used with accurate knowledge of the regulations, centers concern at the department level on how to reach those targets of "what should be."

The most fertile sources of change lie in people's sense of the possibilities in their own work. The self-evaluation process can be merely an annual administrative routine, or it can elicit the contributions of staff at all levels in system-wide planning.

Characteristics of a Model Self-Evaluation

An ideal self-evaluation process might have the following characteristics:

- Its time-frame allows the people from whom data is required ample notification and time to gather accurate and complete information.
- Its structure immediately translates deficiencies and problems into objectives and timetables for the following year.
- Its structure provides for the development of annual up-dating mechanisms.
- The document itself should be an open, accessible, shared collection of information which serves as the school's 622/IX blueprint in all areas.

Relation to State Monitoring

The Bureau of Equal Educational Opportunity will begin a formal monitoring process for Chapter 622 by testing a pilot process in one school district within each of the State Department of Education's regions during the Spring of 1977. It is hoped that this process, by illuminating both the strengths and weaknesses in a district's Chapter 622 compliance, will aid the Bureau and the regional education centers in providing appropriate technical assistance to school systems.

If necessary, this process will be amended for future monitoring visits. However, if a school system, through the efforts of the superintendent and the coordinator, has already carried out compliance responsibilities as they are defined in this guide, especially the "annual self-evaluation," any additional tasks specified by the monitoring team should be minimal.

Resources

The Bureau of Equal Educational Opportunity has materials and personnel available at the regional resource centers to assist school systems in planning and setting up the organization they need to coordinate a successful institutional self-evaluation.

The Resource Center on Sex Roles in Education (see listing in Chapter XIII, Using Resources) publishes useful information and guidelines relevant to self-evaluation. Their very valuable resource kit, Complying with Title IX, is available in the regional education centers and has been supplied to superintendents by the federal government. The components of the kit are:

- Equal Opportunity--A Fundamental American Right?
- Why Title IX?
- Title IX of the Education Amendments of 1972: A Summary of the Implementing Regulation;
- Identifying Discrimination: A Review of Federal Antidiscrimination Laws and Selected Case Examples;
- Complying with Title IX: The First Twelve Months;
- Complying with Title IX: Implementing Institutional Self-Evaluation;
- Title IX: Selected Resources;

- Two posters on student and employee rights to equal opportunity.

The Bureau of Equal Educational Opportunity will provide on request copies of Title IX and Chapter 622: Compliance Guidelines for Public Schools, which should be used for reference in designing a self-evaluation.

OTHER SUGGESTED ANNUAL PROCEDURES

There are other aspects of 622 regulations that are not mandated but are regular parts of the implementation process. Most systems will find that, at minimum, these annual procedures are necessary:

- a regular (at least once a year) review of materials being considered for purchase;

- a regular in-service mechanism for informing and up-dating all school personnel on both legal requirements and educational active efforts vis-a-vis 622/IX.

  622 regulation 8.03 makes it mandatory to provide the necessary information and in-service training to make all staff aware of how discrimination and bias may operate in schools and how, as professional educators, they can develop non-discriminatory and unbiased ways of achieving educational goals. (See Chapter VIII, In-Service Education.)

PROBLEM AREAS IN MEETING ANNUAL REQUIREMENTS

Problems in meeting annual requirements of Chapter 622 and Title IX have been manifested in the following three areas, all of which relate to organizational procedure:

- low levels of consciousness;

- timing;

- lack of communication among people in the school system.

First, some administrators may not yet be fully aware of what the regulations are, what they imply for changes in the school system, or that the superintendent is responsible under the law for meeting these requirements. A coordinator faced with this situation can ask the regional 622 coordinator to explain to the superintendent what needs to be accomplished and what support the superintendent must provide. A general lack of awareness among system staff indicates an urgent need for a comprehensive 622/IX in-service program.

Second, review procedures may not be synchronized with the budget process. By the time an area of non-compliance has been targeted, the budget may have been finished and approved. Legally, there is no validity in saying, "We can't afford it," or "It's not in the budget," when areas of non-compliance exist. Therefore, it is critical to set up a planning cycle in which the self-evaluation is conducted and presented each year before the next budget is drawn up.

Third, fulfillment of annual requirements is hampered in school systems which lack open channels of communication and clear procedures for setting and implementing objectives, including those related to complying with 622/IX. It is more difficult for the coordinator if there is no process which insures accountability, but implementation of the law must proceed nonetheless.

SUMMARY

These annual requirements provide a frame for the implementation process. They also serve to emphasize two fundamental aspects of this process--

- a community that is informed of the law and of the school system's policy under the law to provide equal educational opportunity without regard to sex, race, color, religion, national origin, or command of English;

- a school system in which progress toward full implementation of 622/IX is regularly measured, and in which teachers and administrators have the opportunity to apply the lessons of each year's experience, as assessed by the self-evaluation, to their own and the system's planning for the next year.

III. Admissions to Schools and Courses of Study

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Resources

THE REGULATIONS

Chapter 622

2.01 *All public schools in the Commonwealth shall admit students without regard to race, color, sex, religion or national origin. This includes, but is not limited to regional vocational-technical schools, elementary, secondary, trade and selective academic high schools.*

2.02 *No school shall discourage in any express or implied manner, applicants for admission because of race, color, sex, religion, or national origin. Written materials used by a school to recruit students shall not contain references suggesting the predominant sex of the students presently enrolled or the anticipated sex of the students to be recruited. Pictorial representation, in the aggregate, in such material shall depict students of both sexes and of minority groups. References to only one sex in the name of schools, programs or activities shall not be retained.*

2.04 *Any standards used as part of the admissions process, including but not limited to, testing, the use of recommendations and interviewing, to any public school shall not discriminate on the basis of race, color, sex, religion, or national origin. Limited English-speaking ability shall not be used as a deterrent to or limitation on admissions.*

2.05 *If admission to any school, including but not limited to selective academic high schools, regional vocational-technical schools, and trade schools, is dependent upon the participation in or completion of courses or programs which were previously limited to students of one sex or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any racial, ethnic, or religious group of students to participate in such programs, then such criteria must be abolished.*

3.01 *Each and every course of study offered by a public school shall be open and available to students regardless of race, color, sex, religion or national origin. Nothing herein shall be construed to prohibit the use of prerequisite requirements that have been demonstrated to be essential to success in a given program. However, if participation in a course or program is dependent upon completion of a prerequisite which was previously limited to students of one sex, or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any class of students to participate in such prerequisites, then all members of the previously excluded group shall be given the opportunity to acquire the prerequisites or be allowed to enter the program without such prerequisites. If it cannot be shown that a prerequisite is essential for success in a given program, the prerequisite shall be abolished.*

3.02 *The determination of what courses or units of study are to be required of any student shall also be made without regard to the race, color, sex, national origin or religion of that student.*

3.03 *The scheduling of students into courses or units of study shall not be done on the basis of sex, color, race, religion or national origin.*

3.04 *Each student, regardless of race, color, sex, national origin, religion, or limited English-speaking ability, shall have equal rights of access to courses of study and other opportunities available through the school system of the city or town in which he or she resides--along with appropriate bilingual instruction and programs or other curriculum offerings of a supportive nature such as appropriate remedial programs.*

3.05 *Nothing in section 3.00 shall be construed to prevent particular segments of a program of instruction from being offered separately to each sex when necessary in order to respect personal privacy.*

8.01 *The school committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to insure that all obstacles to equal access to school programs for all persons regardless of race, sex, color, national origin, religion, or limited English-speaking ability, no matter how subtle or unintended, are removed...Special attention shall be given in this examination to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly underrepresented.*

8.10 *Because selective secondary schools have had atypical student bodies in the past, such selective secondary schools, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, shall admit qualified applicants of each sex and racial and ethnic groups in numbers proportionate to the existence of members of such class in the secondary school population of the geographic area served by that school. After the period for application to the school has closed, if it is found that qualified applicants of one of the above classes have not applied in numbers sufficient to maintain this proportion, qualified students of the other categories may be selected to fill the remaining openings.*

Title IX

86.34 *(An institution may not) provide any course or otherwise carry out any of its education program or activity separately on the basis of sex, or require or refuse participation therein by any of its students on such basis, including health, physical education, industrial, business, vocational, technical, home economics, music and adult education courses.*

86.40 (a) *Marital or parental status generally: A recipient shall not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.*

MINIMUM OBJECTIVES FOR IMPLEMENTATION

Enrollments and Exclusions

- ☐ All references to sex in the names or titles of schools, programs, courses, and activities have been removed.
- ☐ System participation policies, formal and informal, that differentiate students by sex or ethnic group have been reviewed and rewritten.
- ☐ Enrollments in each school, course and program have been tabulated by sex and by minority group.
- ☐ Discrepancies between enrollments and system-wide percentages have been analyzed and reasons for discrepancies have been examined for evidence of discrimination.
- ☐ Discriminatory practices so discovered, intentional and unintentional, have been discontinued immediately, or a plan with timetable has been developed to change those practices.
- ☐ All non-academic benefits, services and programs of the school have been reviewed for discriminatory policies and unintentional bias.
- ☐ Class scheduling by sex or minority group has been eliminated, except for reasons of personal privacy, in the case of sex, and specific transitional bilingual instruction, in the case of linguistic minority students.
- ☐ Objectives for balancing enrollment figures have been established as a result of the annual self-evaluation.
- ☐ Selective secondary schools have changed admissions procedures to actively encourage underrepresented groups.
- ☐ Long-range plans have been formulated for increasing the participation of underrepresented groups in the full range of programs of selective secondary schools.
- ☐ System-wide plans have been developed to overcome the effects of past discrimination as they are reflected in traditional enrollment patterns.

Recruitment

- ☐ Written recruitment and announcement materials for all programs have been reviewed for discriminatory reference to the sex or race of students and have been rewritten.
- ☐ Pictures of students in such publications have been replaced, where necessary, to show students of both sexes and of minority groups.
- ☐ All other recruitment approaches have been reviewed, including the composition, presentations, and attitudes of staff assigned to recruitment activities.
- ☐ Specific improvement objectives have been written, as a result of the annual self-evaluation, to more actively recruit underrepresented students.
- ☐ Long-range plans have been formulated for a completely bias-free recruitment program.

Admissions Criteria and Prerequisites

- ☐ All criteria for admissions have been reviewed for discrimination on the basis of sex, race, color, religion, national origin, or limited English-speaking ability.
- ☐ Discriminatory criteria, so defined, have been eliminated or revised.

- ☐ All prerequisites for admissions to schools or programs have been reviewed for discriminatory effect.

- ☐ Prerequisites previously inaccessible to students of one sex or minority groups have been abolished as criteria for admissions, or the opportunity to acquire those prerequisites or enter without them has been given to those students.

- ☐ Specific objectives for revising admissions criteria and prerequisites have been set as a result of the annual self-evaluation.

- ☐ Sending schools have eliminated practices which limit students' access to prerequisites.

- ☐ Both sending schools and selective schools have reviewed the effects of past patterns of discrimination and have formulated plans to actively encourage student acquisition of prerequisites.

- ☐ Students of limited English-speaking ability have been given access to all programs, with bilingual instruction and support services appropriate to insure their success.

Occupational/Vocational Education

- ☐ The enrollment patterns in occupational, vocational, and career education programs have received special attention as areas where underrepresentation has traditionally occurred.

- ☐ School committees have reviewed and changed all policies and regulations which have limited access.

- ☐ Appropriate informational and staff development programs have been provided for staff who recruit for and teach in these programs.

- ☐ Plans with specific objectives and responsibilities have been developed for providing all students ample opportunity to consider a broad range of occupational choices, and for emphasizing student consideration of non-traditional, non-stereotypic occupations.

- ☐ Occupational/vocational educators have analyzed the origins and reasons for underrepresentation, corrected their own practices, and cooperated with academic, sending, and lower-grade teachers and counselors to actively encourage access to all students.

Physical Education

- ☐ Physical education classes are fully coeducational, with the exception of program elements involving the personal privacy of students.

- ☐ Participation in all activities of physical education classes has been reviewed and access created.

- ☐ Specific physical education improvement objectives have been established as a result of the annual evaluation.

- ☐ School committees have reviewed all policies, programs, and facilities in physical education, have corrected problems, and have developed long-term plans for resources, staff, and facilities to support fully coeducational, quality physical education programs.

METHODS AND APPROACHES

Self-Evaluation

In a completely random distribution of students in classes, all groups of students would be represented throughout all school programs and classes in proportion to their numbers in the system as a whole.

The annual self-evaluation should compare actual enrollment data in classes with this "random standard." Particular attention should be paid to classes in which more than 80 percent of the students are of one sex or enrollments of minority students differ by more than 5 percent from their enrollment in the school system.

Policies and procedures also need to be evaluated through a thorough analysis of written policies, course and school names and descriptions, admissions and access procedures (both formal and informal), and class scheduling.

This analysis might be conducted at both the school-building level by the principal and a few teachers and at the system-wide level by the 622/IX coordinator. Alternatively, the coordinator might establish an ad hoc review panel with staff from several levels for the purposes of system-wide analysis.

Data on enrollment patterns and the analysis of policies and procedures complement each other, providing clues to causes and effects that neither by itself might offer.

Action recommendations follow from an in-depth consideration of the origins of current enrollment patterns. For instance, if students are not equally represented in schools, classes, or programs, why is this so? Do enrollment patterns result from prior (or present) exclusionary practices? If overtly discriminatory practices have been discontinued, are subtle biases and traditional patterns still operating to limit access? Are staff cooperating fully in the equal access effort?

The coordinator can conduct a student survey to collect more information on causes and effects through the identification of areas in which students feel their access has been limited. Since most grievances currently involve questions of access, grievance data, too, can be brought into the evaluation.

Action recommendations should take the form of immediate steps and yearly and longer-term change objectives to achieve the goal of balanced enrollment.

Up-to-Date Information

The annual data, which will be useful in assessing overall patterns and trends, will probably need to be supplemented by more frequent reviews. Once system- and building-level objectives have been set for the year, the coordinator can establish monthly or quarterly mechanisms to assess achievement of those objectives and to spot problem areas early.

Policy and Regulation Review

On the basis of the self-evaluation, the coordinator can target those practices to be changed immediately (within a semester), making recommendations to the superintendent and school committee in these areas:

- changing class scheduling from sex-segregated to coeducational;
- changing course and school names and descriptive materials;
- changing policies that restrict admissions discriminatorily.

After these immediate corrective measures, the in-depth assessment of policies, regulations, and practices that will follow should include particular attention to the following areas:

- admissions criteria for selective secondary schools;
- prerequisite criteria for selective programs;
- criteria based on mastery of English;
- scheduling procedures which result in restricted access;
- other policies which may effect enrollment patterns.

In-depth assessment should also thoroughly examine student access to the "hidden curriculum" of the school--activities and benefits outside the formal instructional and guidance areas (e.g., in-school events and assemblies, hall monitors, safety patrols, work-study programs, free-period activities).

After this review, the 622/IX coordinator will need to develop specific recommendations on policy changes for the superintendent and school committee. Bureau of Equal Educational Opportunity staff can give assistance in policy revision and legal interpretations.

The superintendent and school committee will [illegible] act expeditiously on these recommendations, since apparent restric[illegible]access place the school system in the clearest and most visi[illegible]dy. All new policy statements from the school committee [illegible]he system's intention to promote equal educational opportu[illegible]s.

The administration must carry its support of equal access from measures to eliminate overt discrimination through strategies to remove unintentional bias and on to encouraging all students to go beyond traditional limits and consider a variety of program options. School staff should be urged to actively recruit students for courses, programs, and schools in which they have been underrepresented.

Sending Schools and Selective Secondary Schools

When a system opens admissions of selective secondary schools to groups which had not had access before, it cannot expect automatic increases of enrollments from underrepresented groups. The system needs to develop both short-term and long-term strategies that involve both selective and sending schools.

Sending schools play a key role in preparing students for access to selective schools. Admissions criteria, whether they are test scores, prerequisite courses, or teacher recommendations, represent the outcome of a student's work in lower grades. Thus, it is important to develop good working relationships among administrators of selective schools and sending schools.

Toward this end, the coordinator, with the superintendent's backing, can initiate joint planning sessions among guidance counselors, teachers, and administrators of both schools. The schools' self-evaluations and enrollment data can be the basis for discussion and problem solving.

Joint planning can address itself to the following issues of access:

- Do uneven enrollment patterns in the selective school simply mirror uneven enrollment patterns in particular sending school courses?
- Do guidance and counseling practices at the sending school inform all students and parents of their options for selective schools in ample time to make appropriate course selections?
- Are students in both schools reinforced in limiting themselves to traditional coursework?
- Should special "remedial" programs be offered to give students in underrepresented groups the prerequisites they need to gain access?

- What admissions criteria should be eliminated because they unduly limit the accessibility of selective programs?
- What joint active recruitment strategies can be developed in both schools?
- What early curriculum efforts need to be made to improve later access? (See Chapter IV, Curriculum)
- What initial and continuing support services should be provided for students of limited English-speaking ability so they have equal access to selective programs?
- How can teachers and counselors in sending schools expand students' awareness of non-traditional options in the selective schools?

Joint planning task forces can develop recommendations for immediate action along with a coordinated long-range plan for increasing the enrollment of underrepresented groups. Plans might recommend new recruitment efforts and staff development programs.

Any coordinated planning will need to delineate the respective responsibilities of sending schools and selective secondary schools in achieving equal opportunity.

Occupational/Vocational Program Review

Chapter 622 and Title IX pay particular attention to occupational/vocational programs as areas where access has traditionally been limited.

Occupational segregation and stereotyping in the labor market itself have supported traditional patterns of expectation among students. Now, most employers, mindful of their own equal opportunity requirements, look to the educational system to train students who were previously underrepresented in occupational categories.

State Department of Education staff are currently working with vocational schools to review admissions criteria and to make recruiting plans.

From an assessment of occupational/vocational program access, school systems will need to develop long-range strategies to coordinate efforts among various school departments that affect student occupational decision making.

The following areas can be reviewed for their impact on student choice of occupational programs:

- activities developing early career awareness and other early curriculum experiences;
- guidance practices related to occupational/career and academic decision making;
- staff attitudes about appropriate occupational roles for members of each sex and of various ethnic groups, and about the relative importance of training boys and girls in skills for economic self-sufficiency;
- guidance and instructional practices that encourage students to take prerequisites for occupational/vocational programs;
- student, parent, and community views supporting traditional occupational patterns;
- attitudes of employers and trade unions closely connected with staff and the school.

The information yielded by such an assessment will indicate remedies that go beyond the schools' admissions policies, and might include the following:

- system-wide staff development that builds awareness of the effects of occupational segregation, and provides staff with tools to inform and support students in non-stereotyped decision making;

- coordinated program planning which recognizes the links between early curriculum choices and later occupational decisions;

- information strategies to insure that parents and the public understand the school system's approach to non-biased occupational education;

- programs to develop early student awareness of career options, so that appropriate curriculum decisions can be made;

- employer outreach and involvement, to advocate equal employment opportunity rights, and to allow employers to communicate their needs for trained minority and female graduates to the staff;

- special or remedial program design for students who want to enter programs but lacked access to prerequisites;

- specific mechanisms, including bilingual teachers and aides, to provide fully equal occupational training to linguistic minority students;

- active recruitment programs which make occupational training a viable and attractive option for members of all groups.

A Note on Industrial Arts/Home Economics

"Pre-vocational" programs in junior high school have traditionally been sex-segregated. They have tended to support the formation of student expectations for future economic roles, and these expectations have directly influenced later occupational training choices.

As industrial arts/home economics courses become coeducational, teachers are confronted directly with the need to develop new approaches to teaching their subject areas. System administrators should provide specific in-service training to meet this need. Otherwise, staff who are unprepared to teach students of the opposite sex may simply continue "separate" classes within their classrooms, assigning one set of activities to the boys and another to the girls.

Physical Education Program Review

As with occupational/vocational programs, physical education programs have often been based on traditional notions, in this case different physical fitness and skill development levels appropriate for boys and for girls.

Access to physical education is achieved by the simple administrative action of scheduling classes coeducationally, but if staff are unprepared to teach boys and girls together, they may perpetuate "sex-separate" classes within their coeducational class. They may also unintentionally encourage separate activities for ethnic or linguistic minority students. Clearly, it is a high priority for successful 622/IX implementation to provide a staff development program to meet such new training needs among physical education teachers. (See Chapter IV, Curriculum, for further treatment.)

An assessment of access to physical education opportunities will also need to plan the necessary framework to support high-quality physical education programs for all students. For instance, equal access to all equipment and equal facilities are basic to achieving an equitable program.

Linguistic Minority Students

The issue of access to programs for students whose primary language is not English demands special attention from school systems.

These "linguistic minority" students may range from students who are recent immigrants with no English language ability, to students who need some help with English in a regular program, to students who have full facility in English but may be subject to ethnic bias in regular programs.

Whatever arrangements are made for these students, no aspect of the curriculum (e.g., art, music, physical education) may be closed to them.

In designing the annual self-evaluation, the coordinator should pay particular attention to these nuances of access for linguistic minority students. The self-evaluation process itself might involve a task force of bilingual teachers and counselors who can identify problems of access and recommend strategies to ensure the involvement of linguistic minority students in all school programs.

In making recommendations to the superintendent and school committee, the coordinator should pay special attention to the following planning needs:

- strategies for training and hiring bilingual aides to assist in classrooms and laboratories in which a separate bilingual class is neither feasible nor appropriate (e.g. occupational training);
- plans to hire bilingual subject area teachers and occupational education teachers who can conduct regular classes in two or more languages;
- strategies to involve parents, the community, and fully bilingual students in counseling and recruiting students of limited English-speaking ability, to equalize access, particularly to selective programs;
- development of testing programs that do not screen out or track linguistic minority students because of limited English-speaking ability.

Staff Development

The most important staff development efforts relating to access will focus on those staff members who are considered "gatekeepers," key personnel who are important to students' decision making. These people will differ in each school system. They may be homeroom teachers, guidance counselors, department heads, recruiters (for selective schools), student activities advisors, or administrators responsible for class scheduling.

Programs to develop staff awareness should help these particular staff members understand the impact of lack of access on students' future lives. Then, they should receive specific assistance in the following areas:

- how to coordinate their efforts to expand access and options;
- how to provide students with full information about school and work options;
- how to advocate student access;
- how to make long-range plans to achieve full student diversity in all school programs;
- how to attract students to non-traditional areas.

Another high priority for in-service education concerns teachers who will have coeducational classes for the first time, or who have not previously taught students from any ethnic or linguistic minority groups. These teachers will need to develop new teaching strategies and curriculum approaches. They may need guidance in removing stereotypical or biased approaches from their own teaching styles.

Finally, all staff will need to be fully informed of their legal obligations to promote equal access, as well as made aware of the importance of their day-to-day influences on student decision making.

Long-Range Planning

The issue of equal access demands two kinds of solutions. The first is very short-term--all overtly discriminatory practices and sex-separated classes are discontinued.

The second solution is necessarily long-term, because student needs for access to courses and programs originate in earlier curriculum experiences and decision-making encounters with a variety of school personnel. The annual self-evaluation and any task force reviews and recommendations are the starting point for the kind of long-range planning needed to make basic changes.

Specific long-term strategies might include:

- conducting training and re-training programs for staff;
- projecting new staff needs and new staff expertise;
- designing special or innovative programs;
- making major public relations and recruitment efforts for selective programs;
- establishing ongoing accountability and monitoring mechanisms to insure equal access.

With long-range goals in mind, administrators and teachers can establish specific yearly objectives and timetables, allocating their resources accordingly. This will focus staff energies on problem solving and future progress and will encourage more in-depth professional commitment.

SUGGESTED ACTIVITIES FOR THE COORDINATOR

Regulatory/Compliance

- Design self-evaluation data collection instruments which will reveal enrollment patterns by classroom, by sex, race, and linguistic minority status.
- Review all policies and procedures for overt restrictions on access, and take immediate action to correct those practices.
- Inform all staff regularly of the legal requirements regarding equal access.
- Inform all administrators making decisions on access to selective secondary schools of the full intent of the law, and follow up to make sure that all limitations have been removed.
- Initiate an information system to monitor progress regularly.

Information Clearinghouse

- Research and inform teachers and administrators of access strategies developed in other systems.
- Disseminate information to staff on in-service or professional development programs dealing with coeducation, mainstreaming linguistic minority students, and other access issues.

Complaint Management/Negotiation

- Establish a procedure to ensure prompt response to access grievances with immediate action taken to open access to the student/students if the grievance is valid.

- Summarize the previous year's access grievances for the annual self-evaluation and note areas for policy change by the superintendent and school committee.

Leadership/Administration

- Initiate and lead joint planning efforts for sending school and selective secondary schools.
- Conduct problem-solving and design sessions with staff members who must adapt classes or expand access.
- Establish staff development programs for teachers who need assistance in particular areas (e.g. physical education teachers).

Planning and Evaluation

- Initiate and lead long-range planning task force on achieving fully diversified student enrollments in all school programs.
- Use the self-evaluation planning cycle to establish specific access objectives with building administrators and develop regular benchmarks to assess programs.

Innovation/Creative Action

- Help selective secondary schools design attractive, non-stereotyped recruitment programs for students.
- Locate models for special "remedial" programs to help students acquire prerequisites, and help staff adapt models for the system's use.

RESOURCES

The most important resources for providing access to students are the Chapter 622 and Title IX regulations, the model self-evaluation design provided for Title IX (which can be adapted to include 622),* and the expertise of State Department of Education staff.

The regional 622 coordinators have broad experience with school systems across the state who have solved similar access problems. If they cannot personally provide the specific assistance needed, they will refer you to others in the Department of Education or to specialists outside the state Department.

*Complying with Title IX: Implementing Institutional Self-Evaluation, published by the Resource Center on Sex Roles in Education. Available at regional resource centers.

IV. Curriculum

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3.04 *Each student, regardless of race, color, sex, national origin, religion, or limited English-speaking ability, shall have equal rights of access to courses of study and other opportunities available through the school system of the city or town in which he or she resides, along with appropriate bilingual instruction and programs or other curriculum offerings of a supportive nature such as appropriate remedial programs.*

3.05 *Nothing in section 3.00 shall be construed to prevent particular segments of a program of instruction from being offered separately to each sex when necessary in order to respect personal privacy.*

5.01 *The curricula of all public school systems shall present in fair perspective the culture, history, activities, and contributions of persons and groups of different races, nationalities, sexes, and colors.*

5.02 *All school books, instructional and educational materials shall be reviewed for sex-role and minority group stereotyping. Appropriate activities, discussions and/or supplementary materials shall be used to counteract the stereotypes depicted in such materials.*

5.03 *School books, instructional and educational materials purchased after the date of these regulations shall, in the aggregate, include characterizations and situations which depict individuals of both sexes and of minority groups in a broad variety of positive roles.*

5.04 *Each school shall provide equal opportunity for physical education for all students. Goals, objectives, and skill development standards, where used, shall neither be designated on the basis of sex, nor designed to have an adverse impact on members of either sex.*

7.01 *Every new school which is to be constructed and every addition to an existing school or program for modernization of an existing school shall be designed or planned so as to ensure that the educational opportunities to be offered within that school following its construction or expansion or reconstruction will be available equally to all students thereof without regard to the race, color, sex, religion, or national origin of any such student.*

7.02 *The goal of each school shall be to provide equal numbers of males and females with those facilities and conveniences within a school which are separated for reasons of privacy, e.g. showers, locker rooms, changing rooms, toilets, and lavatories. Any school to be constructed shall make such provision and any plan for the expansion or modernization of an existing school shall include whatever provision is necessary in order to achieve compliance with this section.*

MINIMUM OBJECTIVES FOR IMPLEMENTATION

Curriculum Materials

- ☐ All instructional materials (texts, workbooks, media, others) used in the school system have been formally reviewed for sex-role and minority-group stereotyping, using standard criteria.
- ☐ Staff members have been clearly and regularly informed of their obligations under the law to counteract biased materials and have been provided with guidelines for doing so.
- ☐ Regular staff meetings or in-service programs have been devoted to training all staff members in how to review materials.
- ☐ All instructional materials found to be discriminatory are specifically counteracted through classroom activities and additional materials, or are being phased out.
- ☐ All instructional materials have been reviewed for the fair presentation of the contributions, cultures, and history of members of all groups and both sexes, and, where lacking, have been supplemented.
- ☐ Purchasing procedures have been established whereby teachers, business agents, and administrators ordering materials and supplies insure that intended purchases are not stereotyped and biased and that they present members of all groups and both sexes in a variety of positive roles.
- ☐ Departments and individual teachers have been given the information and assistance they need to provide a sex-fair, multi-ethnic curriculum.

Total Curriculum

- ☐ Procedures have been established as part of the annual self-evaluation to review all curriculum offerings and content in light of the goals of equal educational opportunity, including all aspects of the "hidden curriculum," non-classroom activities in which students take part during school hours.
- ☐ All course titles and content descriptions have been reviewed for language implying stereotypes, bias, or discriminatory access, and have been changed accordingly.
- ☐ All teachers and administrators have been clearly informed of their accountability for providing non-biased, non-stereotyped classroom activities, approaches to content, attitudes toward students, scheduling, and all other manifestations of the instructional program and school culture.
- ☐ Students have been given clear instruction in recognizing stereotyping and bias.
- ☐ Staff have been provided with necessary resources to adapt old curricula and/or design new curricula.
- ☐ The school committee has specifically stated its intention to eliminate bias from the curriculum and to develop a sex-fair, multi-ethnic curriculum for all students.
- ☐ Where indicated, special instructional programs have been developed, including bilingual or remedial programs, to help students attain equal access to all curriculum benefits, including selective schools and occupational training.
- ☐ Specific improvement objectives have been established for curricular areas based on the annual self-evaluation.
- ☐ Long-term plans have been developed for a sex-fair, multi-ethnic curriculum at all levels in the school system.

METHODS AND APPROACHES

Policy-Making

The curriculum of a school system is at the heart of the educational process. It may be defined as the overall program of learning offered to each student, and it includes all activities offered to the student during the school day.

The school committee's responsibility is to insure that this learning program does not in any way hamper a student's success, self-image, or future options because of his/her sex, race, color, religion, national origin, or English-speaking ability. Moreover, the school committee is charged with developing policies that promote positive images of all groups of students through a broad-based, sex-fair, multi-ethnic curriculum.

Equal opportunity policies should specify in-depth attention to potentially biased areas:

- overt and latent content of all types of curriculum materials;
- design and implementation of classroom learning experiences;
- student assignments and choices of learning options;
- implicit and explicit guidance activities infused in the curriculum;
- career/occupational materials and programs at all levels;
- field trips, speakers, special events;
- all assigned duties or elective activities outside the regular classroom.

School committee policies can have the effect of linking equal opportunity initiatives to improved and enriched curriculum in the minds of staff. Policy planning will also involve the specific support of staff implementation efforts through provision of in-service programs and new resources. Finally, school committee policy should support and build on the cycles of information-gathering, analysis, and planning around 622/IX curriculum objectives developed by the superintendent and coordinator.

Self-Evaluation

Annual curriculum self-evaluation can be developed along the lines suggested by the Bureau of Equal Educational Opportunity.*

The coordinator can provide all teachers with guidelines and criteria with the request that each teacher evaluate his/her own curriculum practices. Principals can be asked to use that data and their own observations to construct an assessment for their buildings.

In documenting progress on minimum objectives for implementation, the self-evaluation should include attention to several areas:

- completion of materials reviews and establishment of regular review processes;
- establishment of plans and procedures (e.g., for purchasing);
- development of new approaches to multi-ethnic, sex-fair curriculum infused into English, history, social studies, and other classes;
- specific efforts by staff to counteract bias in materials and attitudes and to teach students to recognize bias and stereotyping.

*See A Guide for the Evaluation of Instructional Materials Under Chapter 622, Massachusetts Department of Education. The Title IX model evaluation does not cover curriculum review.

Additional approaches to curriculum self-evaluation might include surveys of student/parental perceptions of the curriculum, surveys of student knowledge about bias, and analyses of grievance patterns.

Though the annual self-evaluation provides once-a-year data on progress and slippage, the coordinator should develop ways to maintain current information. Involvement with teachers during materials review sessions and in-service workshops on 622/IX is an excellent way to keep in touch with classroom activities. Regular meetings with principals can provide a building-by-building picture of progress. Coordinators can seek additional feedback through attending department meetings, parent conferences, and meetings of student organizations.

Materials Review

The ongoing review of instructional materials for stereotyping and for multi-ethnic, sex-fair presentation is a central 622/IX effort. The problem to be addressed is the exclusion or distortion of the roles and contributions of both sexes and of ethnic/cultural groups. Materials review should be a systematic process based on specific criteria. It should involve all staff, at least at the level of individual classroom self-analysis for the annual self-evaluation.

Successful first-time review sessions have been conducted as part of in-service sessions, or through ad hoc task forces. In either case the coordinator should follow some basic guidelines to achieve a successful outcome:

- Orient staff before the session to issues of stereotyping and bias, especially as exhibited by materials in their own grade levels and disciplines.
- Refer to standard resources and guidelines in developing review procedures.*
- Encourage teachers to review in teams, to exchange information, and to increase one another's awareness.
- Facilitate reviews within and across disciplines to encourage both in-depth knowledge and broad awareness.
- Provide an atmosphere in which already-aware teachers can work cooperatively with less-aware teachers to facilitate learning and growth for both.
- Allow sufficient time for teachers to brainstorm and exchange alternatives on the spot, and encourage the development of joint curriculum planning projects.
- Provide necessary follow-up support after the review to help teachers sustain new approaches.

A number of systems have included parents in such reviews.

Review of Proposed Purchases

The coordinator must also develop mechanisms whereby new purchases are reviewed before ordering. In one system, the teacher placing an order must submit a report before the purchase is cleared. The coordinator may have to assist with this decision making at first, but as review skills spread, pre-purchase reviews will become an increasingly acceptable and comfortable procedure.

Counteracting Bias

Given the financial constraints on school systems and the fact that publishers do not yet produce a range of sex-fair, multi-ethnic materials, it is unlikely that schools can discard current materials that are biased.

*See "Resources" at the end of this chapter.

Staff development workshops must provide the tools for addressing the issue of bias with students, and for developing non-biased supplements.

In the last analysis, materials are only as fair as the teacher who uses them. The coordinator's challenge is to stimulate in teachers the commitment to act on their awareness in the classroom, with or without the most appropriate materials.

Student Involvement

Teachers have found that students learn most about sterotyping and about fair presentations of the contributions of all groups when they are included in the research and review process. Students can examine the system's materials, as well as popular magazines, television programs, and advertisements. Students' own analytical powers and decision-making skills are simultaneously developed.

In a few systems, older students have been asked to review elementary texts and make recommendations. In some classrooms, teachers have assigned research projects to students to build a collection of materials on women's history, black history, and the contributions of other cultures to American life. One teacher asked students to rewrite famous episodes of American history from the perspective of women, blacks, and other ethnic groups. Students have also become involved in publicizing 622/IX in the system through making posters and writing articles for student newsletters.

A current project sponsored by the State Department of Education Bureau of Student Services and called Student Commitment to Educational Equity is offering special services to schools and student organizations to involve students more knowledgeably in the system's 622/IX efforts. Coordinators may contact their regional 622 coordinator for futher information about Project SCEE.

Occupational/Vocational Education

Equal access to occupational training is contingent upon non-biased, non-stereotyped curriculum and guidance throughout the system. Curriculum patterns in sending schools may almost automatically limit access to selective occupational programs.

Teachers introducing early career awareness, as well as teachers in occupational programs, have a special obligation to analyze their preconceptions and approaches to their subject matter. If traditional occupational stereotypes are reinforced, new students will never be attracted to non-traditional programs, even though admissions may be open. Career guidance by counselors or teachers will also play a strong role in shaping student attitudes toward occupational training.

Staff development programs for all teachers should include three basic areas:

- awareness of the effect of occupational segregation on students' lives;
- knowledge of all students' needs for employable skills to achieve reasonable salaries;
- skills to review even the most current career exploration materials for presentations of women and minorities in exclusively stereotyped, low-paid, low-status occupations.

Industrial arts/home economics teachers may need specific training to reorient their curricula. At the critical age when decisions about high school curricula are being made, traditional designs have tended to reinforce sex-role stereotypes through occupational preparedness with mechanical skills development for boys and through homemaking preparation for girls.

A number of systems have developed the alternative of a unified practical arts curriculum emphasizing life preparedness, consumer skills, home maintenance, and family life.

Programs for occupational skill-training teachers should cover two additional areas:

- understanding of teaching styles to better incorporate new groups of students into the classroom;
- understanding of how to use aides, especially bilingual aides, to promote accessibility of skills-training curriculum to previously unserved students.

The coordinator's active role is crucial to avoid haphazard response and continuation of deeply-rooted patterns. He/she can initiate an ad hoc task force to consider the implications of 622/IX for occupational/career education from earliest awareness and curriculum decision making to specific vocational skill development, drawing members from a wide range of staff. Long-range planning focussed on positive career development of all students can lay the basis for curriculum changes and staff commitment.

Within this planning context, teachers have designed special "remedial" pre-vocational programs for students who have been underrepresented in skill training programs to prepare them for accelerated entry. These teachers are finding strong motivation in many students who were previously denied access.

Long-range planning should also pay attention to future hiring, so that new staff will reflect a balance of adult role models in a variety of occupations.

Physical Education

The reorientation of the physical education curriculum necessitated by co-education may be slight or major, depending on the system's current program and staff. The 622 regulations encourage a curriculum concerned with individual skill development, health and physical fitness, teamwork, and lifetime recreational options for all students. Competitive sport should be promoted equally for boys and girls.

Many physical education directors have found that 622/IX has allowed them to rethink physical education and develop a more comprehensive and vital role for the department in students' overall development.*

Staff development tailored to the concerns of physical education teachers will be a crucial factor in the success or failure of coeducation in the classroom/gym. Some systems' programs have included the following approaches:

- analysis of the results of the student athletic interest survey (see Chapter VI, Extra-Curricular Activities);
- adaptation of student athletic interests to programs aimed at developing personal recreation skills and fitness;
- design of approaches to tap the cultural backgrounds of students for sports and dances popular in other cultures and to promote pluralistic appreciation among all students;
- visits to model programs in other systems.

As physical education staff are given the opportunity and resources to develop creative alternatives to traditional teaching, the seemingly pressing concern of "how to coeducate" will become a secondary issue to providing high quality physical education programs that meet the needs of students throughout the system.

Students of Limited English-Speaking Ability

Clearly, students of limited English-speaking ability must have curriculum materials presented to them at the level of English facility they have

*The Bureau of Equal Educational Opportunity guide, Equal Opportunity in Physical Education and Athletics, lists some school systems that have successfully developed model physical education approaches and may be contacted directly for information.

attained. It is critical that reviews of materials pay attention to the portrayal of linguistic minority people. Materials lacking positive images of non-English-speaking adults or cultural minorities should be actively supplemented with in-class research projects on the heritage, family culture, and history of various cultural groups.

Staff Development

Ultimately, the reality of equal opportunity at the classroom level can be sustained only by the professional commitment and skill of staff members. The teacher's own attitudes and behaviors toward students in his/her class will be the major factor.

Coordinators have primary responsibility for arranging in-service programs that focus on 622/IX curriculum issues. The materials review is a first major step in staff development. Through that vehicle, staff can discover the evidence of bias in a concrete way. The development of solutions can then follow.

Staff also need to understand the implications of the law for their teaching, and they need tools to build non-biased curriculum in their disciplines. This may involve the coordinator's ongoing response to specific expressed needs. Regular program review and problem-solving sessions can provide teachers with the opportunity to share solutions and develop approaches.

Long-Range Planning

The process of reviewing and reorienting curriculum toward a positive, multi-ethnic, sex-fair approach takes time to develop. Teachers and other staff members will be encouraged by a sense of shared purpose and predictability when a plan is operating to establish and meet long-term curriculum objectives. Staff who have taken part in building a long-range plan are more likely to be committed to accomplishing yearly objectives in the context of that plan and less likely to be anxious about what new reform may be around the corner.

SUGGESTED ACTIVITIES FOR THE COORDINATOR

Regulatory/Compliance

- Arrange materials review sessions and follow up to make sure recommendations were carried out.
- Review progress on the development of new multi-ethnic, sex-fair curricula.
- Establish and monitor review procedure to precede purchase of materials.

Information Clearinghouse

- Research and disseminate information on new curriculum approaches.
- Serve as a central source of information about the work of community groups and other teachers.

Leadership/Administration

- Encourage and facilitate student involvement in implementing 622/IX.
- Stimulate teachers to develop creative approaches to new curriculum by encouraging joint projects and proposal writing.
- Work closely with occupational education staff and physical education staff to develop approaches to teaching new types of students.
- Arrange specialized curriculum development workshops around 622/IX.

Planning and Evaluation

- Develop strategies with superintendent for long-term curriculum planning at all levels of the system to reflect 622/IX goals.
- Develop innovative mechanisms, including student surveys and interviews of teachers, parents, and community members, to collect ongoing and annual self-evaluation data.

Innovation/Creative Action

- Work with interested teachers to develop new approaches to 622/IX implementation and help them seek resources and funding.
- Develop mechanisms for teachers from the system to exchange information and curriculum ideas with teachers from other systems on a regular basis.

RESOURCES

There are numerous resources available to help school systems eliminate bias from the curriculum. They range from interested community groups to national organizations that publish guides and bibliographies and conduct curriculum development conferences. (See Chapter XIII, Using Resources.) Teachers and administrators can turn to their professional associations to find groups working on these issues.

The ERIC microfiche system, available at state college and other college libraries, is an excellent resource for current instructional materials and new curriculum research.

The primary sources of advice and assistance to schools are the 622 staff of the Bureau of Equal Educational Opportunity and the regional 622 resource centers. In addition to A Guide for the Evaluation of Instructional Materials under Chapter 622, the Bureau can provide a Bibliography of Multi-Ethnic and Sex-Fair Resource Materials and a Resource List of consultants with expertise in equal educational opportunity issues.

Coordinators may wish to use the information in Chapter XIII, Using Resources, as a starting point in developing a 622 curriculum resource center for their systems. Such a resource center might include:

- current resource lists for various curriculum areas;
- new curriculum materials that have been reviewed favorably;
- articles and checklists reviewing textbooks;
- teacher resource and discussion guides;
- catalogs for films and other audio-visual media.

V. Guidance

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Chapter 622

8.12 *The opportunity to receive guidance and counseling in a student's primary language should be made available to students from homes where English is not the primary language spoken.*

4.01 *Guidance Counselors and other personnel shall represent to the students a broad spectrum of education and career opportunities. Race, color, sex, national origin and religion shall not be considered as limiting factors in career determination.*

4.02 *"Career Day" programs and other occupational information shall include representatives of both sexes and of minority group members in a broad variety of occupational roles. Schools shall not permit materials, including pictorial representations, to be used to recruit students for employment, including training, that contain a preference for individuals of a particular race, color, sex, religion or national origin.*

4.03 *No materials or tests shall be employed for guidance purposes which discriminate and/or limit choices on the bases of race, color, sex, religion or national origin.*

8.07 *The superintendent of each school system shall make certain that employers who recruit new employees in and through the schools of that district, do not discriminate on account of race, color, sex, religion or national origin in their hiring and recruitment practices within the schools. Before any employer is allowed to recruit at or through any school, the employer shall be required to sign a statement that he/she does not discriminate in hiring or employment practices on account of race, color, sex, religion or national origin.*

8.01 *The school committee of each school district shall establish policies...that support and promote affirmative action and stimulate necessary changes to insure that all obstacles to equal access to school programs for all persons regardless of race, sex, color, national origin, religion or limited English-speaking ability, no matter how subtle or unintended, are removed. Such policies shall include a requirement for an annual evaluation...to insure that all students...receive appropriate guidance so that they may be able to participate in all programs offered by the school including athletics and other extra-curricular activities.*

Title IX

86.36(c) *Disproportion in classes. Where a recipient finds that a particular class contains a substantially disproportionate number of individuals of one sex, the recipient shall take such action as is necessary to assure itself that such disproportion is not the result of discrimination on the basis of sex in counseling or appraisal materials or by counselors.*

Total Guidance Program

- ☐ All guidance staff have been informed of 622/IX regulations pertaining to guidance and counseling.
- ☐ Bilingual counselors or translators have been hired as needed to provide primary-language counseling for all students.
- ☐ Guidance staff have taken in-service training and sought other professional development opportunities to extend their skills in counseling approaches which support students in considering a full range of activities based on interests, abilities, and skills.
- ☐ Criteria have been developed for regular evaluation of guidance practices to identify any that explicitly or implicitly limit student options on the basis of race, color, sex, religion, national origin, or limited command of English.
- ☐ Any discriminatory practices so identified have been terminated.

Testing

- ☐ All test and appraisal forms used for guidance purposes have been reviewed for content or scoring that discriminates or limits options on the basis of race, color, sex, religion, or national origin.
- ☐ Use of discriminatory or biased instruments has been discontinued except as staff have developed procedures for nondiscriminatory administration and interpretation of tests for which no alternatives exist.
- ☐ Guidance personnel have been given in-service training to identify cultural and sex bias in tests.
- ☐ Alternative mechanisms have been provided for testing students of limited English-speaking ability.

Materials

- ☐ All guidance office reference and display materials (written and pictorial) have been reviewed for implicit and explicit discriminatory content, including materials for career guidance, academic counseling, and personal counseling.
- ☐ Materials so identified have been removed from circulation.
- ☐ Guidance staff have collected reference and display materials that represent people of both sexes and of minority groups in a wide variety of occupations and roles.

Occupational Programs

- ☐ All recruiters and Career Day representatives have signed forms stating that they do not give preference to members of a particular race, color, sex, religion, or national origin.
- ☐ All recruiting materials are reviewed to insure that they do not explicitly or implicitly express discriminatory preference.

METHODS AND APPROACHES

Policy-Making

Chapter 622 and Title IX regulations pay particular attention to guidance practices because of their special influence on students. The guidance department affects all students throughout their school careers:

- through academic counseling and advice on course selection;
- through career guidance and employment placement;
- through testing;
- through college placement;
- through personal counseling and interactions with families.

Thus, guidance counselors are in a key position with respect to 622/IX implementation.

The school committee needs to develop policies that support the guidance department's efforts to achieve 622/IX objectives. Counselors may need substantial help and time to revise old practices and develop alternative strategies. New resources, new recruiting materials, and new testing approaches require time and effort to collect or develop.

Self-Evaluation

Some specific guidance practices lend themselves to systematic evaluation:

- the display and use of career and other guidance materials;
- the administration of tests;
- the scheduling of classes;
- the design of Career Days.

It is not difficult for guidance staff, with the assistance of the 622/IX coordinator, to remedy bias and discrimination in these tangible areas.

Biased attitudes and discriminatory counseling practice are more difficult to document, and counselors themselves may be unaware of attitudes influencing their professional practice. Nevertheless, counselor perceptions of students and their future options may influence student choices more than any other aspect of guidance services. In making course or career decisions, students may easily adopt the counselor's view of appropriate directions for them, even if that view is unconsciously biased. Individual counselors can take a self-assessment survey* to "rate" and then discuss their attitudes. Ongoing attitudinal self-evaluation is an important part of guidance reassessment for 622/IX.

Further self-evaluation activities like the following can indicate needed changes and new directions:

- collect usage data for a two-week period, by sex and ethnic groups, to determine purposes and outcomes of counseling contacts;
- review grievances that mention guidance practices;
- conduct surveys of student and/or parent perceptions of possible bias in guidance and counseling services;

*For instance, Sex Fairness and Career Guidance: A Learning Kit (see "Resources" section at the end of this chapter).

- conduct surveys of what students want from guidance, including new services;

- review all course enrollment data for disproportionate enrollments, and identify guidance practices which may have been contributing factors.

The results can illuminate attitudes counselors did not realize they were projecting, and point the way toward improved equal opportunity-oriented services. Counselors and the 622/IX coordinator can jointly plan strategies to promote student selection of courses in which their group is underrepresented.

Testing

Every school system should review its testing procedures in the light of how they affect its own students. The following guidelines summarize, in general terms, the current thinking on bias in testing.

Careful Research Review

The reference manual of each test used in the system should be thoroughly reviewed for data on test development, item content, validity, reliability, and norming groups.

Ideally, the manual will discuss potential bias and recommend ways to minimize it. If this is not the case, the test user should request the information from the publisher. Testing systems older than five years are not likely to reflect current measurement principles regarding bias, and systems should make every effort to obtain new materials and references.

The user should supplement this review with other sources of testing information, including standard texts and references, publishers' technical references, and current literature on test bias.*

Most Frequent Sources of Test Bias

Research literature has revealed that test bias frequently has its origin in inadequate testing programs.

A test's validity should be continuously checked by the system through studies to determine if what it measures bears a direct relationship to subsequent performance. Tests that impact differentially on different groups often turn out to be measuring unrelated knowledge and experience that do not actually predict later success. Validity testing is especially crucial when course of study decisions hinge on the results.

A second frequent source of bias is testing procedure--the behavior and attitudes of test users in selecting, administering, and interpreting tests. All tests exhibit characteristic strengths and weaknesses, and no test can be completely accurate. When test users, through lack of time or in-depth knowledge, rely on defective, inappropriate, or incomplete test results to make decisions, they may, without realizing it, perpetuate bias. Additionally, their own attitudes about students in different groups may strongly influence the weight they give to particular test results.

These persistent sources of bias can only be addressed when staff have the time and resources to develop quality control standards for the testing program and to practice new administrative and interpretive approaches.

Local Population Studies

Recent literature on test bias also indicates that school systems should regularly collect data on their own student populations to develop norms that reflect local patterns of performance. National norms established through the test publisher's procedures are useful for comparison but are not necessarily directly relevant for decision making at the local level. Student scores compared with local test norms and local performance are much less likely to be biased by factors inherent in the publisher's norming procedures.

*Accessible through Psychological Abstracts.

Admissions/Selection Tests

Whenever tests are used to select students for admissions to programs, the school system must determine that they do relate to subsequent performance. However, even a "valid" test may be biased. Any test used for admissions that consistently eliminates disproportionate numbers of minority or female students should be considered suspect and its use as a decision factor suspended or, at least, reconsidered.

Interest Inventories

Interest inventories compare students' current preferences with patterns of preference in other groups, usually adults in specific occupational roles. Inventories were originally constructed and normed when traditional sex roles were generally accepted.

As a result, they represent a category of testing which must be used with caution. Interest inventories should never stand alone as an indication of a student's preferences nor be treated as permanent measures. Any inventory results should only supplement the process of counseling in illuminating student interests, and in encouraging consideration of broad options.

Department policies should be developed to guide counselors in using and interpreting these tests. Only within the last five years have inventory publishers begun to remove sex bias from the instruments. Most now have up-to-date reference material on bias, which counselors should request. (For helpful guidelines, see the preface to Issues of Sex Bias and Sex Fairness in Career Interest Measurement.)

Finally, counselors will need to address the issue of occupational stereotyping directly with students. Any stereotyping that remains implicit in test forms and results must be positively counteracted. Because students themselves may place more weight on the outcomes of interest testing than they warrant, counselors will also need to help students properly analyze the outcomes. Students need to understand that as time passes, new experiences and learnings may change their interest patterns.

Linguistic Minority Students

Tests that rely on English comprehension and usage, whatever their purpose and content, are obviously inadequate for obtaining valid results from students of limited English-speaking ability.

School systems will need to review their testing program as it affects linguistic minority students. Options for non-discriminatory testing include:

- eliminating such tests as criteria;
- providing primary-language versions of tests (in fully comparable translation);
- developing assessment mechanisms that do not rely on English fluency for specific content areas.

Multiple Assessment Approaches

Most tests and measurements experts agree that good testing practice involves comparing the results of several assessment devices. Whatever credence is given to any one test (depending on its validity, reliability, and relative freedom from bias), its results should be given only partial weight in any decision. Other tests, grades, interests, and teacher/counselor recommendations should also carry significant weight.

Linguistic Minority Students

Guidance departments have a special obligation to ensure that all linguistic minority students, whether few or many, have easy access to counseling in their primary language. This service is especially important in relating

the student's program and choices in school to his/her parents, who may not speak English at all.

Bilingual counseling services can be an important factor in enhancing the self-concept and motivation of students of limited English-speaking ability. Diverse strategies can be used to accomplish this objective. For instance, systems might hire bilingual counselors, arrange to train and pay parent/community aides to serve as translators, or involve fully bilingual students in peer counseling.

Important guidance materials should be translated or interpreted for students with limited English-language ability, and "role models" in career literature or in person on Career Days should include bilingual/bicultural adults in positive occupational roles.

The guidance department can act to reduce the sense of isolation of linguistic minority students and to promote multi-ethnic educational approaches in the school.

Role Models

Counselors can develop positive, non-stereotyped role models for students in at least three ways.

First, through guidance materials and through Career Day and other school-based events involving the community, counselors can present men and women in non-traditional roles and minorities in a variety of positive roles. They can introduce case studies of alternative career- and life-styles for students to discuss in group counseling sessions. They can seek career guidance materials developed specifically for female and minority students.

Second, counselors can participate in the curriculum review, supporting the concept of positive role models in all aspects of the curriculum--textbooks, films/media, guest speakers, field trips.

Third, counselors can advocate active efforts at the levels of policy making and administration to hire and promote minority and female candidates to positions of leadership. The composition of the school staff itself is perhaps the most important day-to-day "role model" of the "real world" for students.

Staff Development

To support guidance personnel in implementing 622/IX, in-service education should begin by focusing on the legal requirements for guidance under 622/IX and on the awareness and knowledge needed to eliminate discriminatory practices and material. This approach might include:

- understanding how the interpersonal dynamics of bias can affect counseling interactions with students;
- understanding what constitutes discriminatory guidance materials;
- analyzing the testing program for bias;
- learning how to help students develop non-stereotyped views of themselves and how to support students who have chosen non-traditional options;
- learning how to help students consider a variety of career options and develop independent decision-making skills;
- becoming aware of the counseling needs of linguistic minority students and framing specific strategies for such counseling;
- developing counseling skills in new issue areas (e.g., for students who are pregnant or have children).

Finally, the in-service education program can focus on methods for ongoing bias-free program development such as--

- developing non-biased testing procedures and alternative assessment methods;
- identifying non-stereotyped guidance materials;
- identifying non-biased community resources for employment, materials, and Career Day presentations;
- advocating student rights under 622/IX;
- aiding classroom teachers in counteracting the effects of bias.

Long-Range Planning

In working to achieve the minimum objectives for implementation, staff will realize the necessity for long-range planning. Desired changes may take time to implement fully. New activities may require shifts in staff time allocations, work priorities, and assignments, or additional staff for expanded services. Some systems have seen the need for long-range planning in the following areas:

- An up-to-date, non-biased occupational information system may take a few years to implement.
- A system-wide strategy to increase female and minority enrollments in technical training may involve numerous teachers, in-school publicity campaigns, and compensatory classes.
- New requirements for counseling students may demand a different view of future staffing requirements.
- "Courting" potential employers who will actively recruit minority graduates may take staff time, travel, persistence, and follow-up.

SUGGESTED ACTIVITIES FOR THE COORDINATOR

Regulatory/Compliance

- Notify guidance counselors of regulations.
- Meet with counselors to discuss progress and areas of difficulty in full implementation.
- Facilitate guidance office efforts to locate primary language tutors and aides for linguistic minority students.
- Review plans for Career Day and other occupational programs with guidance personnel and help negotiate with employers for positive role models of both sexes and of ethnic groups in a range of occupations.
- Assist guidance personnel in regularly reviewing display literature and recommend items to be removed or revised to include representation of both sexes and ethnic groups.

Information Clearinghouse

- Provide guidance staff with names and addresses of sources of non-biased reference and display materials.
- Inform guidance staff of up-coming workshops or courses by professional organizations or 622 regional coordinators.

Complaint Management/Negotiation

- Be accessible to parents and students who are dissatisfied with counseling and guidance practices to discuss their concerns privately and negotiate improved services with the guidance department.

Leadership/Administration

- Arrange with administrators for in-service education.
- Arrange release time for research on tests and inventories.
- Aid the guidance director in long-range planning.
- Help develop reasonable accountability mechanisms to ensure that personal counseling does encourage and support students' interest in non-traditional areas of work and study.

Planning and Evaluation

- Meet with guidance staff to develop and apply assessment criteria to the guidance program.
- Work regularly with staff and administrators to frame objectives and timetables for long-range development of the guidance function to encourage broad academic, career, and personal options for all students.

Innovation/Creative Action

- Put guidance staff in touch with people in non-traditional or previously inaccessible occupations who can participate in Career Day programs as role models for students.
- Research and suggest resources for innovative guidance approaches in life-management, decision-making skills, and expanding career horizons.

RESOURCES

The U.S. Department of Labor is an excellent source of guidance materials for students seeking occupational information.

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VI. Extra-Curricular Activities

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THE REGULATIONS

Chapter 622

6.01 *Advantages and privileges of public schools include all extra-curricular activities made available, sponsored, or supervised by any public school. No school shall sponsor or participate in the organization of outside extra-curricular activities conducted at such school which restrict student participation on the basis of race, color, sex, religion or national origin...*

6.02 *No student shall be denied the opportunity in any implied or explicit manner to participate in an extra-curricular activity because of the race, color, sex, religion or national origin of the student except as provided in section 6.07.*

6.03 *Because female participation in extra-curricular athletic activities is substantially less than male participation in such activities throughout the Commonwealth, no school shall take action which would tend to reduce the number of female participants in intramural and interscholastic athletic activities from that of the previous academic year, until such time as an equalization of male and female participation has been achieved.*

6.04 *Each school system shall provide a fair distribution of athletic expenditures. Each school within such system shall provide equal opportunity for male and female students to participate in intramural and interscholastic sports. Factors considered in determining equal opportunity shall include budgetary allocations, the proportion of male and female students in the student body, the number and nature of activities offered, levels of competition, equipment (including rate of replacement), supplies, awards, uniforms, facilities, scheduling of games and practice times, travel opportunities and allowances, opportunities to receive equitable coaching and instruction at each level of competition and the availability of services such as medical and insurance coverage, publicity, clerical and administrative staff, scouting services and audio-visual aids.*

6.05 *In developing its athletic program, a school shall be required to demonstrate good faith by taking into account determined student interest.*

6.06 *In order to insure fair distribution of athletic expenditures as defined in section 6.04, each school shall indicate in the budget that is reviewed by the school committee the anticipated expenditure for each interscholastic and intramural athletic activity and the anticipated student participation in that activity by number and sex.*

6.07 *A school may establish separate teams for males and females for interscholastic competition in a particular sport, provided that the requirements of section 6.08 are satisfied.*

6.08 *Teams comprised primarily or solely of persons of one sex shall be granted equal instruction, training, coaching, access to available facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of persons of the opposite sex.*

6.09 *Participation in extra-curricular activities shall be actively encouraged by each school for both boys and girls and for racial and ethnic minorities. When offering extra-curricular programs, schools shall take into consideration the ethnic traditions of the student body. Criteria not related to skill levels which act to exclude members of one sex or of any racial,*

religious or ethnic group represented in the school from participation in specific athletic or other extra-curricular activities cannot be permitted.

8.01 *The school committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to insure that all obstacles to equal access to school programs for all persons regardless of race, sex, color, national origin, religion or limited English-speaking ability, no matter how subtle or unintended, are removed....Special attention shall be given...to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly under-represented.*

8.02 *If participation in any school sponsored program or activity has previously been limited to students based on race, color, sex, national origin or religion, then the school committee shall make active efforts to insure that equal access to all school sponsored programs or activities be provided within the system.*

8.09 *Adults serving on athletic regulatory boards shall fairly represent the interest of both male and female students.*

Title IX

86.31 *...no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any...extracurricular...program or activity....*

86.41 *(a) General. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be treated differently from another person or otherwise be discriminated against in any interscholastic,...club or intramural athletics offered by a recipient, and no recipient shall provide any such athletics separately on such basis.*

MINIMUM OBJECTIVES FOR IMPLEMENTATION

"Extra-curricular activities" should be broadly defined by each school system in reviewing its total school program. Some programs and benefits may not be labeled "extra-curricular activities" by the system, but do supplement the instructional and counseling program both during and after the school day.

Total Extra-Curricular Program

- ☐ Each school has surveyed levels of student participation by sex and ethnic group in all extra-curricular activities.
- ☐ All extra-curricular programs in the school system have been reviewed for policies and practices which, intentionally or unintentionally, restrict student participation on the basis of race, color, sex, religion or national origin.
- ☐ On the basis of this review, each school has discontinued policies and practices so identified.
- ☐ The school committee has framed policies and objectives to insure students equal access to programs which had previously been restricted on discriminatory grounds.
- ☐ Each school has developed concrete strategies to encourage students of both sexes and racial and ethnic minority groups to participate in extra-curricular activities.
- ☐ The school system has devised a long-range plan for diversified extra-curricular programs that are responsive to the needs and interests of diverse students of both sexes and various ethnic backgrounds.

Athletics

- ☐ Each school in the system has conducted a survey of students' athletic interests.
- ☐ Athletic program planning and development objectives for each school have been framed to incorporate expressed student interests.
- ☐ Funds have been allocated to support activities benefitting a variety of students, and the annual budget has been broken down to show anticipated numbers of participating male and female students for each activity.
- ☐ The amount and quality of coaching and instruction, facilities and equipment, and services and support activities for students of both sexes have been reviewed and inequities corrected.
- ☐ When sex-separate teams for the same sport are not available, tryouts have been publicized and students of both sexes given the opportunity to try out for the sport, as long as this does not reduce the number of female participants below the level of the previous year.
- ☐ Athletic regulatory boards have been reviewed for fairness in representing the interests of male and female students, and inequitable policies and practices have been discontinued.
- ☐ A regular review mechanism has been instituted to monitor progress in achieving equal opportunity in athletics.

METHODS AND APPROACHES

Policy-Making

School committees and superintendents are responsible for terminating policies which have had discriminatory effects on student participation in extra-curricular programs and for adopting program and fiscal policies which encourage the participation of previously underrepresented groups of students.

These policies can specifically mandate that principals and staff advisors in each school make the following efforts:

- take active measures to encourage broad student participation;
- redesign activities and the extra-curricular program as a whole to develop a range of interests and skills to attract a variety of students;
- reallocate funds where necessary.

Self-Evaluation

A well-designed self-evaluation yields annual information on the overall scope and quality of extra-curricular offerings, with specific data on the following areas:

- name and description of each activity;
- budget allocations to, and within, each activity;
- how many students (by sex and ethnic group) participate in each activity;
- criteria for student participation;
- school facilities used;
- meeting times.

Over a period of time, the self-evaluation will serve to monitor the achievement and maintenance of minimum compliance and will indicate the success of active efforts to develop a diversified program that involves a variety of students.

Planning

If the annual evaluation shows that ethnic and linguistic minority students are underrepresented in extra-curricular activities, or if it indicates sex-segregated patterns of activity, school principals, activity advisors, and the 622/IX coordinator will need to analyze the causes.

Discriminatory policies and practices that have formally excluded students from certain activities are easily identified and terminated. The more subtle effects of bias, in adults and among students themselves, may exercise a more persistent influence on patterns of participation. Some activities may, by their very nature, reinforce traditional or stereotypical roles.

Therefore, extra-curricular planning related to 622/IX needs to be based on a thorough analysis of the purpose and scope of extra-curricular programs. Most systems would say that their extra-curricular program, viewed philosophically, enriches students' experience and supports the development of abilities that will benefit students now and later. Viewed this way, student interest and student development, leading to broadened experiences and options for all students, are cornerstones of equal opportunity planning.

The required survey of student athletic interests is one basis for planning changes and new developments in athletics. School systems may request sample copies of the "Student Athletic Interest Inventory" from the Bureau

of Equal Educational Opportunity. Some systems have devised similar instruments to survey student interest in non-athletic programs. This information feeds directly into program design and development, along with advisors' ideas on how to incorporate students' ethnic traditions.

Short-term planning should include staff development activities, compaigns to involve students in current offerings, and a complete review on policy and budgeting for the school committee.

Long-range planning should involve an assessment of student needs and interests, the development of new activities, a mechanism to ensure equitable allocation of resources, and an ongoing effort encouraging students and staff to be aware of, and to overcome, the limiting effects of unintentional bias. A long-range approach that maintains the capacity to respond to student interests is the best framework for insuring equal opportunity.

Budget

A fair allocation of the extra-curricular budget will support diverse student interests. Care should be taken to see that no one activity--or type of activity--dominates resources at the expense--or to the exclusion--of opportunities for students with other interests. The athletics budget breakdown required by Chapter 622 will indicate the degree to which resources back up the policy of equal opportunity.

Equitable funding in accordance with 622/IX requirements does not imply a simple formula of equal expenditures for male and female athletic programs. It does mean providing opportunities and supports in response to student interest. It also means supporting a range of sports that encourage students to develop physical skill and ability in non-competitive as well as competitive sports.

Staff Development

Experience shows that the attitudes of advisors, coaches, and administrators virtually determine whether or not a new approach or program succeeds. Students have already formed expectations about themselves and each other, and if they are to try out something that is non-traditional for them, they need adult support.

Activity advisors, in turn, must be supported by their administrators. The 622/IX coordinator should work directly with principals to design in-service education to help advisors learn about the educational and legal grounds for reorienting activities and how to design and implement changes.

Student Participation

Extra-curricular activity significantly enriches the school program for students as they develop social and personal images and skills. Therefore, it is unfortunate that, historically, the participation of ethnic and linguistic minority students has been low.

Because teachers, guidance counselors, and advisors have considerable influence on student selection and self-selection for optional activities, they have a special responsibility to encourage ethnic and linguistic minority students to participate fully in extra-curricular activities, and to encourage boys and girls to explore interests beyond traditionally accepted areas. Such encouragement may mean conscious and ongoing strategies of support to counteract the effects of bias.

SUGGESTED ACTIVITIES FOR THE COORDINATOR

Regulatory/Compliance

- Notify staff advisors and athletic directors of regulations.
- Regularly meet with those involved in extra-curricular activities to discuss successes and problems in meeting objectives for program development and student participation.

- Observe activities in operation to see if they are in compliance.
- Maintain communication with the Bureau of Equal Educational Opportunity on rulings affecting athletics and other extra-curricular activities.

Information Clearinghouse

- Maintain a reference collection of regulations, rulings, and resources for program development in athletics and other extra-curricular activities.
- Disseminate all relevant incoming materials.
- Ensure that athletic recruiters understand how 622/IX affects their activity in and around the schools;
- Maintain easy accessibility to students, parents, and staff members who have questions.

Complaint Management/Negotiation

- Respond with special sensitivity to the student who wants access to certain programs but is fearful about being a "pioneer."
- Use legitimate grievances about extra-curricular programs as an immediate focus for re-design by staff.

Leadership/Administration

- Enlist superintendent's involvement in encouraging staff to redesign activities and programs.
- Work with principals, staff advisors, and athletic directors to establish an accountability structure.
- Organize in-service programs for advisors and coaching staff on the content of 622/IX regulations applying to their area, on program analysis and development, and on developing commitment to the principle of equal opportunity.

Planning and Evaluation

- Conduct and analyze student athletics interest assessment (with coaches, advisors, principals).
- Develop (with staff) additional instruments to assess student interest in other areas of extra-curricular activity.
- Monitor student participation levels.

Innovation/Creative Action

- Set up meetings and workshops for staff advisors with counterparts from other school systems that have successfully and creatively developed responses to the need for program changes.
- Meet with staff of bilingual programs to consider specific ways of broadening the cultural base of the extra-curricular program.
- Investigate new activities and resources mentioned in professional publications.

RESOURCES

The Massachusetts Department of Education's booklet, Equal Opportunity in Physical Education and Athletics: Chapter 622/Title IX, discusses concerns related to implementing equal opportunity in sports, lists resources relevant to athletic program development, and comes with a sample copy of "Student Athletic Interest Inventory."

Staff of the Bureau of Equal Educational Opportunity can assist coordinators in locating ideas and resources for broadened, multi-cultural, sex-fair extra-curricular programs.

VII. Scholarships and Awards

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THE REGULATIONS

Chapter 622

8.11 Any contributions to a school for activities and monetary awards within or sponsored by the school or for scholarships administered by the school made after the effective date of these Regulations by any person, group or organization shall be free from any restrictions based upon race, color, sex, religion or national origin.

Title IX

86.34 (a) Schools may not:

- *provide different amounts or types of financial assistance, limit eligibility for such assistance, or apply different criteria for selection;*
- *apply any rule concerning eligibility for such assistance which treats persons of one sex differently from persons of the other with regard to marital or parental status;*
- *assist, through solicitation, listing, approval or provision of facilities or services, any agency or person which provides assistance to a recipient's students in a manner which discriminates on the basis of sex.*

(b) Schools may administer financial assistance established by domestic or foreign legal instruments (i.e., wills, trusts) which require that awards be made to members of a specified sex provided that the overall effect of the awarding of such sex-restricted funds does not discriminate on the basis of sex. To ensure this effect:

- *students must be selected for awards of financial assistance on the basis of nondiscriminatory criteria;*
- *an appropriate sex-restricted award should be allocated to each student selected;*
- *no student may be denied the award for which he or she was selected because of the lack of awards or funds designated for a member of that student's sex. (If there are insufficient sources of financial aid designated for members of a particular sex to provide funds for students of that sex selected, the institution must obtain the necessary funds from other sources or award less assistance from the sex restricted sources.)*
- *If a recipient awards athletic scholarships, it must provide reasonable opportunities for such awards for members of each sex in proportion to the number of students of each sex participating in interscholastic athletics. Separate athletic scholarships for members of each sex may be provided as part of separate athletic teams for members of each sex to the extent consistent with the regulations for athletics.*

MINIMUM OBJECTIVES FOR IMPLEMENTATION

- ☐ Policies have been clearly established to inform staff of their responsibilities in three different awards situations (see below).
- ☐ Contributors and donor organizations have been informed of the laws and their implications for dealings with the system.
- ☐ All awards and prizes have been analyzed according to type, under 622/IX regulations, and necessary adjustments made in procedures to achieve non-discrimination.
- ☐ Where required under Title IX, alternative sources of funds have been identified and allocated.
- ☐ Active efforts have been made to negotiate the termination of restrictions by all donor organizations.

METHODS AND APPROACHES

Policy-Making

Chapter 622 and Title IX regulations are each more precise in certain stipulations for scholarships and awards. This section discusses three specific award situations that require different responses.

Scholarships and Monetary Awards Restricted on the Basis of Race, Religion, Color, or National Origin

Chapter 622 is applicable in these situations because Title IX is concerned solely with sex-based restrictions. The 622 regulations require that after September 1, 1975, schools no longer administer or sponsor scholarships and awards restricted by race, color, religion, or national origin (as well as sex).

Schools may play only a limited role in restricted awards sponsored and administered by outside organizations. A school may allow students access to the awards by providing information about the existence of the awards and how to apply. Staff may not, however, coordinate applications, establish selection criteria, participate in decision making, or make the presentation. Teachers may write letters of reference for students on request. The school may only announce the awards, once made, to appropriate gatherings.

In the long run, the system's obligation is to promote non-restricted awards by all outside organizations. To the extent that such awards form part of the motivation structure for achievement, it is contrary to the spirit of the law for a student to know that certain awards are not available because of his/her group membership. While Chapter 622 does not require alternative sources of funding or active negotiation with donor organizations, systems will want to assess the potential value of such strategies in a long-range plan.

Awards Restricted on the Basis of Sex

Title IX regulations must be adhered to with respect to sex-restricted awards. First and foremost, schools must not themselves administer or sponsor sex-restricted awards. Further, systems are prohibited by Title IX from soliciting, listing, approving, or providing facilities or services for donors of sex-restricted awards.

Schools may notify students of the existence of such an award but may not announce its restriction. Schools must refer interested students, both male and female, to the donor organization and must notify the organization why it is doing so. The system must simultaneously negotiate to either terminate the restriction or terminate the school's association. The system cannot participate in any phase of the selection process and may only announce awards at school gatherings after they have been made.

The only exceptions here are athletic scholarships and awards, which may be given separately to males and females where sex-separate teams are permitted, as long as total awards are proportionate to the representation of each sex in interscholastic competition.

Awards Restricted on the Basis of Sex/Legal Instruments

Wills, trusts, and other legal instruments may have established restricted awards over which the school system may not be able to exert future influence. Title IX regulations, recognizing this dilemma, provide that systems may continue to inform students of the existence of these restricted awards and, where required, to administer them.

At the same time, Title IX establishes an active four-step process to be followed to insure that the impact of such awards is not discriminatory in the aggregate:

- list all students entitled to awards, regardless of sex, using non-discriminatory criteria;
- rank order that list, again using non-discriminatory criteria;

- match students with available awards, including restricted awards;
- ensure that the overall effect is not discriminatory by sex by providing alternative sources of funds for non-eligible students, if necessary.

The system must do one of the following: 1) use this non-discriminatory "pooling" or "matching" arrangement; 2) negotiate with the sponsor directly to lift restrictions; 3) not award the restricted funds.

Clearly, under Chapter 622, school systems are obliged to refuse future restricted bequests that they would be called upon to administer.

Planning

Short-range planning should entail a thorough analysis of the total awards program during the annual self-evaluation, including both monetary and non-monetary awards.

Non-monetary awards should be considered benefits of the school, as are courses and extra-curricular activities, and not be restricted or labeled on the basis of sex, race, religion, color, or national origin. The school system should not be an active vehicle for restricted non-monetary awards from outside organizations, either, and should take steps to negotiate the end of such restrictions.

The coordinator should categorize restricted awards by type and make immediate procedural recommendations to the superintendent. Once established, clear procedures should be distributed to every staff member and should be explained in depth during meetings of personnel who are key in the awards processes.

The coordinator should also immediately contact all donor organizations to inform them of the law and develop their cooperation in removing restrictions.

Long-range planning should focus on more complex issues, such as sex-restricted awards through legal instruments, where the system may have to locate alternative funding sources and develop consistent procedures for ranking students and "pooling" awards. The overall goal is an awards program that does not restrict the access of any group to rewards for achievement and assistance for further education.

SUGGESTED ACTIVITIES FOR THE COORDINATOR

Regulatory/Compliance

- Notify all staff who may have dealings with scholarship recruiters and contributors.
- Analyze awards and prizes for overall discriminatory effect, and keynote all restricted awards for policy action by the superintendent and school committee.

Information Clearinghouse

- Provide complete information on school system policy for concerned staff, students, parents, and community people.
- Maintain a current file of administrative rulings on scholarship and award regulations under Chapter 622 and Title IX.

Complaint Management/Negotiation

- Receive inquiries and investigate and negotiate complaints from students and/or parents who believe that a particular award, or a school's award system, is not in compliance with Chapter 622 or Title IX.

Leadership/Administration

- Contact community sponsors of restricted awards and negotiate to have gender or other restrictive labels removed from their awards.
- Meet with school personnel to review the system's approaches to restricted scholarships and awards.

Innovation/Creative Action

- Encourage staff and community to devise new kinds of awards, or awards for skills and accomplishments not presently accorded recognition in school presentations, to which all students have access.

RESOURCES

The most important resources for systems in interpreting the scholarships and awards regulations under Chapter 622 and Title IX are the Massachusetts Department of Education or the U.S. Office for Civil Rights.

VIII. In-Service Education

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The Regulation

Minimum Objectives for Implementation

Methods and Approaches
- Policy-Making
- Self-Evaluation
- Focus of In-Service
- Factors Supporting Successful Staff Development Planning

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- Regulatory/Compliance
- Information Clearinghouse
- Leadership/Administration
- Planning and Evaluation
- Innovation/Creative Action

Resources

THE REGULATION

Chapter 622

8.03 It shall be the responsibility of the school committee and the superintendent to provide necessary information and in-service training for all personnel in order to:

- *advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, religion or national origin.*
- *enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior which may occur in the public schools.*

MINIMUM OBJECTIVES FOR IMPLEMENTATION

Staff development is an implicit element in a number of areas mandated for assessment and corrective action.

- ☐ Procedures have been designed to regularly inform all administrative, teaching, and guidance staff of their legal responsibilities in achieving compliance with 622/IX.
- ☐ Mechanisms and programs have been developed to enhance staff consciousness of ways bias and discrimination may operate in school and in particular program areas.
- ☐ The school system has provided administrators, teachers, counselors, and other service staff access to opportunities (both inside and outside the system) to develop their program-planning capabilities for multi-ethnic, sex-fair education.
- ☐ Regular in-service programs have been developed and implemented to acquaint staff with mechanisms of self-evaluation, planning, and accountability to implement 622/IX regulations and to achieve full compliance throughout the system.

METHODS AND APPROACHES

Policy-Making

Equal educational opportunity for students depends on the active efforts of teachers, administrators, other staff, and school committees to eliminate discrimination and bias from educational policy and practice and to remedy the effects of past discrimination in educational programs.

Each school system must provide all staff with a solid grasp of the following elements of implementation, without which the system will run the continual risk of being in non-compliance:

- the rationale for 622/IX and the substance of the regulations;
- the evidence and effects of bias and discrimination in educational practice;
- the obligation of the school system to comply with 622/IX in ensuring equal educational opportunity for all students;
- the obligation of every teacher and administrator to actively further the full achievement of equal educational opportunity in the school system.

It should also be system policy to train staff in implementing 622/IX regulations in all aspects (curriculum, materials, access to courses, classroom interactions) of all program and service areas (academic, occupational education, guidance, physical education, extra-curricular activities).

Staff need to be prepared to deal specifically with how bias and discrimination may operate in their disciplines, how this may deny students equal educational opportunity, and how staff can avoid and counteract bias and discrimination. Policy can encourage staff to use compliance-related changes as an opportunity to try curriculum innovations.

After they have had the opportunity to develop general understanding of issues and can recognize bias and discrimination, it would be useful for staff to meet by department to develop approaches for their particular areas. Realistic policy-making for staff development will allow for the time--and possibly assistance--this process will require.

The most complex changes under 622/IX involve school programs and day-by-day interactions of students with staff, who profoundly influence each student's educational experience. No policy-level changes can obviate the need for a long-term system-wide program of in-service education and follow-up. Thus a policy mandating and supporting such a program is germane.

Self-Evaluation

If the self-evaluation shows that, although policy has been changed, discriminatory or biased practices and effects are continuing in any aspects of the educational program, teachers and administrators will need to target areas for change and carry out the changes themselves. Thus staff must be equipped to avoid and remedy discrimination and bias.

Staff members themselves can provide direct information on their training needs. Each person in the school system can be asked to select from a range of topic options those three or four areas which will most benefit his/her efforts to correct discriminatory or biased aspects of the educational program and to develop and apply positive remedies. Further, each staff member can be asked to describe how he/she plans to develop sex-fair, multi-ethnic curriculum or activities and to identify areas of information and skill in which he/she needs assistance.

Focus of In-Service

622/IX-related staff development need not be limited to special programs. It can be incorporated into regular faculty meetings, departmental meetings,

and building meetings, along with consistent messages of support from the central administration for implementation efforts. All such occasions should be documented.

However, a single program focusing on regulatory issues and staff awareness warrants at least one day-long in-service workshop for all staff in the school system.

The categories below represent phases of 622/IX staff development that school systems have found useful to follow. The phases progress from basic regulatory knowledge to constructive program and skills development.

Regulatory/Compliance

All staff members must be informed of 622/IX regulations and the educational issues underlying the legislation. They must be made aware of the school system's compliance policies and their own responsibilities in implementing 622/IX.

Awareness

Staff members must be given opportunities to develop their awareness of, and to increase their sensitivity to, the educational and social effects of bias and discrimination.

School systems have stated that successful workshops on awareness nearly always involve personal insights for participants:

- about their own feelings;
- about how they themselves were socialized;
- about the effects of discrimination and bias on the lives of children they know well.

These insights can be the foundation for a broader commitment to equal educational opportunity, in concept and practice.

Multi-Ethnic, Sex-Fair Program Planning

Staff should be given opportunities to develop skills, resources, and objectives for remedying the effects of previous bias and discrimination on students. Many teachers appreciate help in getting started and working with their colleagues as they try applying their awareness to specific classroom and curricular plans.

Skills in Problem Solving and Innovation

Staff members need opportunities to discuss their progress and difficulties in implementation and to refine their skills in analyzing and solving problems, setting objectives, and planning strategies.

This phase of staff development can be approached in a number of different ways. For instance, building-level programs will enhance the sense of unified effort among building staff. Departmental teams accent the development of program-specific strategies. With technical assistance, interdisciplinary teams can develop a program or funding proposal.

Factors Supporting Successful Staff Development Planning

Staff. Numbers of teachers and administrators are already aware of the issues of equal educational opportunity and are committed to achieving it. These educators are a tremendously valuable resource in developing system-wide programs. Any programs voluntarily organized by staff members--as many have been in the past--merit administrative recognition and support.

Incentives. The incentive structure should certainly incorporate recognition of creative implementation efforts. (See Chapter XII, Organizational Dynamics and 622/IX Implementation.) Central system administrators might well encourage teachers and building administrators to do graduate

coursework in multi-ethnic, sex-fair program and curriculum development, with release time and tuition reimbursement policies that support individual staff development efforts.

Funding. School systems without trained or experienced personnel to organize and run staff development workshops will need to allocate funds to bring in consultants.

SUGGESTED ACTIVITIES FOR COORDINATOR

Regulatory/Compliance

- Inform all staff of the law and its educational rationale and of their responsibility as professional educators to implement system policy to provide equal educational opportunity to all students.
- Regularly update staff on system's progress in implementing 622/IX.

Information Clearinghouse

- Collect multi-ethnic, sex-fair curriculum materials.
- Stay informed of upcoming conferences and workshops sponsored by professional organizations and notify staff in respective disciplines.
- Attend informal in-service occasions (building, course, department, team meetings) to hear and pass on information.

Leadership/Administration

- Work with central administrators to incorporate recognition of creative administrative, teaching, and guidance practices into incentive structure.
- Conduct or arrange to have 622 regional coordinator or outside consultant conduct planning and skill-development workshops.

Planning and Evaluation

- Conduct assessment of specific training needs of staff at all levels.
- Work with central administrators to set up a long-range system-wide plan for in-service education.

Innovation/Creative Action

- Bring people from systems with effective staff development programs into contact with local administrators.
- Find out about or encourage the development of innovative courses at local colleges or universities that could further staff development.

RESOURCES

Training programs and workshops that are most effective are those that provide the opportunity for active participation. Lectures and handouts alone will not stimulate individuals to develop their own ideas and put them into action.

Implementing Title IX: A Sample Workshop gives a workshop model that can be adapted to 622-related concerns as well. ($5.00 prepaid from the Resource Center on Sex Roles in Education, Room 804E, 1201 Sixteenth Street, N.W., Washington, D.C. 20016.)

The Bureau of Equal Educational Opportunity has resources and personnel to assist school systems in program design.

IX. Personnel Practices

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The Regulations

Minimum Objectives for Implementation

Methods and Approaches

- Policy-Making
- Self-Evaluation
- Notification and Information Dissemination
- Planning

Responsibilities of the Title IX Employment Rights Coordinator

Resources

Employment Rights Chart

THE REGULATIONS

Chapter 622

Except for the following, Chapter 622 provides no specific regulation concerning employment of school system staff:

8.08 Since adults serve as role models for students, school authorities shall utilize adults in a variety of jobs, and as members of policy making committees, to the extent consistent with their contractual obligations, without regard to race, color, sex, religion or national origin.

Title IX

The employment provisions of Title IX, which are based largely on experience with earlier federal antidiscrimination laws and precedents, established through related litigation, are extensive and detailed. They cover the following areas:

- recruitment;
- hiring and promotion;
- compensation;
- job assignment/classification;
- collective bargaining agreements;
- leaves of absence;
- benefits and training.

The first item of the general employment provision states:

86.51(a) No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment, or recruitment, consideration, or selection therefor, whether full-time or part-time, under any education program or activity operated by a recipient which receives or benefits from Federal financial assistance.

The regulation goes on to specify provisions for specific employment areas and employment-related practices.

Title IX further specifies notification provisions.

86.9 Each recipient shall implement specific and continuing steps to notify applicants for...employment,...employees, sources of referral of applicants for...employment, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, that it does not discriminate on the basis of sex in the educational programs or activities which it operates, and that it is required by Title IX...not to discriminate in such a manner. Such notification shall contain such information and be made in such manner, as...necessary to apprise such persons of the protections against discrimination assured them by Title IX...and that inquiries concerning the application of Title IX...to such recipient may be referred to the employee designated...or to the Director (of the Office for Civil Rights, HEW).

MINIMUM OBJECTIVES FOR IMPLEMENTATION

- ☐ Procedures have been framed to ensure that all employees and organizations that hold contracts with the system or provide services to employees are regularly notified of Title IX regulations and of the school system's policy of non-discrimination.
- ☐ A grievance procedure to handle complaints relative to employment practices has been established and publicized.
- ☐ All recruitment, employment, and personnel policies, criteria, procedures, and practices, and all related documents, have been reviewed and changed as necessary to ensure compliance with Title IX.
- ☐ Data has been collected on average salaries, time between promotions, and job assignments for numbers and percentages of employees in each building and in the system as a whole, by sex, to evaluate compliance with Title IX.
- ☐ If an analysis of this data shows underutilization of female and minority-group staff, the school system has formed policies and long-range planning objectives to correct the condition.

METHODS AND APPROACHES

Policy-Making

Title IX employment provisions are framed on the lines of earlier federal anti-discrimination legislation. They are presented and discussed in detail in one of the chapters of Implementing Institutional Self-Evaluation.*

Chapter 622 regulations, though they do not make specific provisions, do make a point that should be incorporated as a basic element of school system personnel policy. Students ought to be able to see the principle of equal opportunity manifested in their own school systems through the employment of people of both sexes and various ethnic/racial groups in a variety of professional positions.

It is important that school system policy make employment and personnel practices an integral part of the overall 622/IX implementation effort.

Administrators who may be uncertain about making active efforts through their hiring or promotion recommendations to the school committee will need policy support.

Self-Evaluation

Patterns of Staff Assignment

Self-evaluation should yield specific information on school system employment, placement and advancement patterns, and on all employment-related documents.** Particular attention must be paid to the educational and experience credentials of employees, by sex, compared to salary, position, and duties.

Grievance Procedure

Title IX differs from other federal antidiscrimination legislation in that it requires systems to have a local grievance procedure. (School systems should have submitted their plan to the Office for Civil Rights for approval by July 1976.) This provision was made to encourage equitable resolution of complaints at the local level.

A grievance procedure is satisfactory only if employees perceive it as accessible. The way a grievance procedure is organized affects its accessibility. Some school systems structure their grievance procedures on two levels, the first within the department or building. The second level involves the central administration, which is notified of any identified non-compliance or handles any grievance that has not been resolved at the lower level.

Notification and Information Dissemination

All school system employees must be given annual notification of the following information:

- the employment policy under Title IX;
- the grievance procedure and how to use it;
- the name, office address, and telephone number of the coordinator;
- the right of employees to grieve instances of alleged non-compliance directly with the regional Office for Civil Rights.

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* Published by the Resource Center on Sex Roles in Education. Available at regional education centers.

**A detailed outline of the particulars appears on pages 123-124 of Implementing Institutional Self-Evaluation.

All organizations holding professional agreements with the school system or providing services or benefits to employees must be notified on a continuing (annual) basis of the system's policy of non-discrimination.

It is a wise employment practice to give personnel complete and up-to-date information on employment rights and grievance procedures. Though this may generate an initial upsurge of questions and complaints, institutions with open information policies and workable grievance procedures experience a decline in major complaints and in grievances that are taken to outside agencies and courts for resolution.

All staff (administrators in particular) should be aware that every application for federal funds must be accompanied by an assurance of compliance with Title IX. The superintendent and Title IX coordinator will need to ensure that all staff who handle personnel recruitment, advertising, and applications know and comply with relevant Title IX regulations.

Planning

The first step in formulating a long-range employment plan is to look at the total picture that comes out of the self-evaluation. This should be considered in the light of projected expansion and/or upcoming vacancies in staff positions.

When openings do arise, all staff involved in recruiting, hiring, or promotion processes should make a conscious effort to review and consider female and minority-group candidates and to promote leadership roles for non-traditional candidates.

The effectiveness of all efforts to eliminate discrimination in employment will be greatly increased by a written plan, which might include the following steps:

- statement of the school system's policy of non-discrimination and the purpose of the employment plan;
- analysis of the utilization of staff;
- establishment of procedures for identifying and changing employment policies and practices that are discriminatory or perpetuate effects of past discrimination;
- specification of goals and timelines for improving identified under-utilization;
- establishment of monitoring, evaluating, and reporting procedures.

A good plan will serve to anticipate and remedy problems in employment practice before they develop into grievances.

RESPONSIBILITIES OF THE TITLE IX EMPLOYMENT RIGHTS COORDINATOR

Responsibilities for implementing Title IX personnel practices might best be handled by a staff member who is already familiar with the system's personnel practices.

Under Title IX, the coordinator must perform the following functions:*

- send annual notification of the school system's policy of non-discrimination and Title IX requirements to all employees, contractors or groups providing benefits or services to employees, labor or professional organizations holding contracts with the school system, and all sources of referral for employment;

*Adapted from Complying With Title IX, The First Twelve Months, pages 9-10. Published by the Resource Center on Sex Roles in Education. Available at regional education centers.

- help develop and publicize a grievance procedure for prompt and equitable resolution of employment-related discrimination complaints;
- coordinate institutional self-evaluation of employment policies and practices to identify and change cases of discrimination;
- make recommendations to the superintendent specifying remedial steps;
- help staff implement and monitor corrections;
- prepare regular reports about discriminatory practices which have been identified, policy violations, grievances filed and how they were resolved, and the implementation of corrections;
- keep records for evaluating and reporting compliance efforts;
- maintain relationships with sources of employee referral and recruitment, labor and professional organizations, and other relevant groups to interpret and disseminate nondiscrimination employment policies and practices.

The superintendent and the coordinator must be responsible for keeping up to date on further developments in equal employment procedures and guidelines from the Department of Health, Education and Welfare.

The coordinator is in a good position to develop a file of resources and references for staff who want to look into aspects of employment protected by federal and state legislation.

Providing staff resources on affirmative action, on employee rights legislation, and on the efforts of professional associations to up grade members, may be the most valuable contribution of the coordinator's role to non-discriminatory employment practices.

The annual employee notification can be used as an occasion to distribute copies of the Employment Rights Chart that follows.

RESOURCES

The coordinator can contact the Bureau of Personnel and Staff Development, Massachusetts Department of Education, for assistance in compiling a thorough description of the employment rights of school system personnel.

In addition to the Women's Bureau of the U.S. Department of Labor, the Equal Employment Opportunity Commission, and the Massachusetts Commission Against Discrimination, all of which are listed on the Employment Rights Chart, other groups to contact for employment-related information are:

- The National Education Association, 1201 Sixteenth Street, N.W., Washington, D.C. 20036;
- The American Association of School Administrators, 1801 North Moore Street, Arlington, Virginia 22207.

Publications

McCune, Shirley, and Martha Matthews. Programs for Educational Equity: Schools and Affirmative Action. (Washington: U.S. Department of Health, Education, and Welfare, 1975), 56 pages. For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Stock Number 017-080-01457-2, $1.20.

EMPLOYMENT RIGHTS

	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964	*EXECUTIVE ORDER 11246*	*EQUAL PAY ACT OF 1963*	*TITLE IX OF THE EDUCATION AMENDMENTS OF 1972*	*COMMONWEALTH OF MASSACHUSETTS STATUTES*
WHAT INSTITUTIONS ARE COVERED	All institutions with 15 or more employees.	All institutions with federal contracts of over $10,000.	All institutions.	All institutions receiving federal grants, loans, or contracts.	All levels of public education.
WHAT IS PROHIBITED	Discriminatory employment on basis of race, color, religion, national origin, or sex. Covers all employees.	Discrimination in employment on basis of race, color, religion, national origin, or sex. Covers all employees.	Discrimination in salaries (including most fringe benefits) on basis of sex. Covers all employees.	Discrimination against students and employees on basis of sex.	Discrimination in educational opportunity and employment (including hiring, upgrading, salaries, conditions of employment).
HOW TO MAKE A COMPLAINT	By sworn complaint form obtained from Equal Employment Opportunity Commission.	By letter to the Secretary of Department of Health, Education, and Welfare.	By letter, telephone call, or in person to nearest office of Wage and Hour Division, U.S. Department of Labor.	File with nearest Office for Civil Rights. Use local grievance procedure.	By sworn complaint form obtained from Massachusetts Commission Against Discrimination.
TIME LIMIT FOR FILING COMPLAINTS	180 days. Longer for continuing violation.	180 days. Longer for continuing violations.	No official limit. Statute of limitations for recovering back pay is 3 years for willful, 2 years for nonwillful, violation.	Local procedure determines time limits.	Usually 180 days. Longer for continuing violations.
ENFORCEMENT POWER AND SANCTIONS	EEOC or U.S. Attorney General may file suit. Complainant may initiate suits. Court may enjoin institution from behaving unlawfully; order affirmative action; order reinstatement; award back pay.	Government may delay new contracts, revoke current contracts, debar institutions from eligibility for contracts.	Secretary of Labor may file suit. Complainant may file suit when Dept. of Labor has not. Court may enjoin institution from behaving unlawfully; order salary raises, back pay and assess interest.	Government may delay new awards, revoke current awards, debar institution from eligibility for contracts. Dept. of Justice may bring suit at request of HEW.	MCAD may order prohibited practice stopped; award back pay, order hiring, reinstatement, or upgrading.

(Continued)

Information on federal coverage is based on "Federal Laws and Regulations Concerning Race and Sex Discrimination in Educational Institutions," prepared by the Resource Center on Sex Roles in Education for the National Education Association.

continued from previous page	TITLE VII OF THE CIVIL RIGHTS ACT OF 1964	EXECUTIVE ORDER 11246	EQUAL PAY ACT OF 1963	TITLE IX OF THE EDUCATION AMENDMENTS OF 1972	COMMONWEALTH OF MASSACHUSETTS STATUTES
FOR FURTHER INFORMATION ABOUT COVERAGE, GRIEVANCE PROCEDURE, ETC., CONTACT:	Boston District Office Equal Employment Opportunity Commission 150 Causeway Street Boston, Massachusetts (617) 223-4535	U.S. Dept. of HEW Civil Rights Division RKO Building, 5th Floor Bulfinch Place Boston, Massachusetts (617) 223-6397	U.S. Dept. of Labor Wage and Hour Division Boston Area Office 100 Summer Street Boston, Massachusetts (617) 223-6751 Women's Bureau U.S. Dept. of Labor Boston, Massachusetts (617) 223-4036	U.S. Dept of HEW Civil Rights Division RKO Building, 5th Floor Bulfinch Place Boston, Massachusetts (617) 223-6397	Massachusetts Commission Against Discrimination 1 Ashburton Place Boston (617) 727-4145 222 Union Street New Bedford (617) 997-3191 145 State Street Springfield (413) 739-2145 50 Franklin Street Worcester (617) 752-2272 *For Chapter 622:* BEEO Mass. Dept. of Education Boston (617) 727-5880

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NOTES

1. *Unions have an obligation to support equal opportunity in the bargaining process. Under the federal provisions above, institutions and labor organizations may not make agreements that are in conflict with the non-discrimination provisions. Unions can also be a source of support in grievance procedure.*

2. *Although affirmative action is not a clear requirement of any federal legislation other than Executive Order 11246, many employers have found it beneficial to develop an affirmative action plan, and employers under court order are required to develop one.*

3. *All the legislation above prohibits an institution from discharging or discriminating in any other way against an employee because he/she has made a complaint, assisted with an investigation, or instituted a proceeding.*

4. *Complaints under federal employment provisions may be made by individuals and/or organizations on their own behalf or on behalf of the aggrieved party.*

5. *Boston regional offices will provide the addresses and telephone numbers of more local offices.*

6. *Provisions are made for other specific areas of employment and for other areas like housing and credit that affect the lives of working people. Personnel with questions can call the Women's Bureau of the Department of Labor, the Equal Employment Opportunity Commission, or the Massachusetts Commission Against Discrimination. The Women's Bureau has published A Working Woman's Guide to Her Job Rights, which describes federal provisions in many areas of employment and employment-related concerns (social security coverage, for example), including:*

Maternity Leave. Under EEOC guidelines, an applicant or employee may not be discriminated against because of pregnancy. Any pregnancy-related disabilities should be treated as temporary. Regulations for Executive Order 11246 as amended require the employer to consider childbearing a justification for a leave of absence for a reasonable period, with reinstatement at the same job or one of equal status and pay.

Age Discrimination in Employment Act. This act covers people between 45 and 60. Employers, employment agencies, and labor unions may not discriminate on the basis of age in any aspect of employment. This issue is handled by local Wage and Hour Divisions of the Department of Labor.

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X. Handling Complaints and Grievances

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The Regulations

What Is a Grievance Procedure?
- Procedure Under Chapter 622
- Procedure Under Title IX
- The Relationship of Local Grievance Procedure to Monitoring Agencies
- Elements of a Grievance Procedure

What Is a Grievance?
- The Range of Grievances Under 622/IX

The Role of the Coordinator

Resources

Chapter 622/Title IX Grievance Report Form

THE REGULATIONS

Chapter 622

9.01 *A parent, guardian or other person or group who believes that c. 76, s. 5 of the General Laws or these Regulations has been or is being violated, may request a written statement of the reasons therefor from the responsible School Committee through the superintendent and may submit a copy of such request to the Bureau of Equal Educational Opportunity of the Department of Education. If such request is made, a copy of such request shall be sent by the School Committee to the Bureau of Equal Educational Opportunity.*

9.02 *The School Committee shall respond promptly, but no later than 30 days, in writing to the complaining party. The School Committee shall also send a copy of its response to the Bureau of Equal Educational Opportunity.*

9.03 *The Bureau of Equal Educational Opportunity shall act as the representative of the Board of Education for the purpose of receiving complaints pursuant to these Regulations.*

9.04 *The Bureau of Equal Educational Opportunity shall, pursuant to a complaint received under section 9.01 or on its own initiative, conduct reviews to insure compliance with c. 76, s. 5 and these Regulations. The School Committee and the specific school(s) involved shall cooperate to the fullest extent with such review.*

9.05 *In the event of non-compliance with Chapter 76, s. 5 or these Regulations, the Board of Education may take such action as it sees fit, including, but not limited to, withholding of funds or referral of the matter to the Office of the Attorney General for appropriate legal action.*

10.01 *Nothing in these Regulations shall abridge or in any way limit the right of a parent, guardian or person affected to seek enforcement of Chapter 622 of the Acts of 1971 in any court or administrative agency of competent jurisdiction.*

Title IX

86.6(b) *A recipient shall adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by this...(Regulation).*

WHAT IS A GRIEVANCE PROCEDURE?

Under Chapter 622 and Title IX, the grievance procedure is primarily a process of self-correction for school systems. It should structure a positive way of responding to the identification of problems that may prove to be instances of non-compliance.

An effective grievance procedure will minimize the need for complainants to appeal to resources outside the school system. To do this, a grievance procedure needs to be easily accessible to students, parents and employees; have clearly defined procedures and time lines; and be recognized as a serious mechanism by all staff.

Procedure Under Chapter 622

The regulations of Chapter 622 specify a procedure for notifying the school committee and the Bureau of Equal Educational Opportunity of formal complaints brought to school systems. The role of the Bureau in this procedure is to assist in investigation, negotiation, and corrections to be made. The Bureau also responds to informal complaints from individuals by contacting the relevant school district for resolution.

The 622 regulations do not delineate a specific internal procedure for negotiating and resolving complaints. The Bureau encourages systems to use the grievance procedure established under Title IX as a model for resolving 622-related grievances internally before involving the Bureau in negotiations. A simple, accessible grievance form can encourage use of the procedure and reduce individuals' fears about lodging a complaint (see pages 83-84).

Procedure Under Title IX

Title IX requires each school system to have a written, publicized grievance procedure for internal complaint management involving sex discrimination. Students and employees must be fully informed of the steps in a grievance procedure.

The Relationship of Local Grievance Procedure to Monitoring Agencies

Under both Chapter 622 and Title IX, an internal grievance procedure allows for internal resolution of complaints and correction of identified non-compliance.

The Bureau of Equal Educational Opportunity (622) or the Office for Civil Rights (IX) will become involved if a complainant has chosen to bypass local procedure or if resolution was not reached locally. In either case, the first step will be negotiation and technical assistance. If negotiation does not achieve resolution, the Bureau or OCR can administratively order compliance. As a last resort, either agency may undertake legal proceedings.

Under both laws, complainants may go directly to the monitoring agencies, and under Chapter 622 they may exercise the right of private suit. The monitoring agencies may also initiate negotiations to correct instances of non-compliance without a complaint having been made.

Elements of a Grievance Procedure

The design of an effective grievance procedure should include the following phases:

- the procedure for bringing and receiving a complaint;
- the procedure for negotiating and resolving a complaint;
- the procedure for making changes when discriminatory or biased policies or practices are identified, both to correct the non-compliance and to provide particular remedies to the person or group affected.

WHAT IS A GRIEVANCE?

Complaints regarding sex discrimination may be brought under both Chapter 622 and Title IX. Complaints regarding discrimination on the basis of race,

color, religion, or national origin must be brought under Chapter 622. Only affected students and employees may file Title IX grievances; students, staff, parents, or concerned citizens may lodge Chapter 622 complaints, even when they are not directly affected.

Systems can effectively merge the two grievance procedures for internal purposes as long as the coordinator notes which coverage is being addressed, and complainants know which agencies they may turn to directly.

The Range of Grievances Under Chapter 622 and Title IX

Possible grievances cover a wide range of situations. The following examples exhibit this scope:

- A student claims to have been prohibited or discouraged from taking an industrial arts or home economics elective on the basis of sex.
- A male teacher was denied childrearing leave in a system that grants childrearing leave to female teachers.
- A female track instructor was not seriously considered for a position coaching a boys' track team when her experience would qualify her as a candidate.
- A student claims a teacher selectively restricts student behavior, or harrasses students, on the basis of their race or sex.
- A teacher feels that a certain compliance requirement is not being implemented in good faith in his/her school.
- A parent finds that basketball seasons are of different lengths for boys' and girls' teams.
- A concerned community group has found bias and stereotyping in curriculum materials without counteracting measures being taken.
- A pregnant student was barred from attending school.
- A girl was not allowed to try out for a boys' athletic team when there is no equivalently-equipped girls' team, or is harrassed by teammates or coach.
- A group of students claim they are disciplined differently from students of the opposite sex or of another ethnic group.
- A group of parents complain that efforts to implement the equal opportunity regulations are not adequate, and that administrators are not acting in good faith.

THE ROLE OF THE COORDINATOR

All students, parents, staff, and the community at large must be given the name, office address, and telephone number of the 622/IX coordinator as the person to contact with questions and complaints.

The way the coordinator and other staff handle the sometimes-sensitive complaint process will be a key factor in amicable resolution. The decision to register a complaint is usually not an easy one, and the coordinator's accessibility, willingness to listen, and ability to put people at ease will make negotiations substantially easier.

Coordinators have found that they can accomplish a great deal by welcoming grievances and their resolutions as a necessary and informative part of a system's overall compliance effort, and by reducing confrontation and suspicion in discussions with complainants. The grievance procedure can be a satisfying, results-oriented method for identifying and solving problems that might not surface in self-evaluations. The coordinator should work with building-level and central office administrators to develop channels for correcting non-compliance instances, once identified by a grievance.

RESOURCES

The Bureau of Equal Educational Opportunity can assist coordinators and other staff in developing effective grievance procedures and successful negotiation techniques.

The Resource Center on Sex Roles in Education publishes Title IX Grievance Procedures: An Introductory Manual, by Martha Matthews and Shirley McCune. ($4.00 prepaid, from the National Foundation for the Improvement of Education, 1201 Sixteenth Street, N.W., Washington, D.C. 20036.)

CHAPTER 62/TITLE IX GRIEVANCE REPORT FORM

Name of grievant_____ Date of filing_____

School or Position_____

Address_____

Telephone number_____

Nature of grievance_____

Names and addresses of others involved in the grievance and the nature of their involvement.

_____

Signature of grievant

_____

Person receiving grievance

This sample grievance form is taken from Implementing Title IX: A Sample Workshop, prepared by the Resource Center on Sex Roles in Education for the U.S. Department of Health, Education, and Welfare.

RESOLUTION OF GRIEVANCE

1. Violation: ☐ Yes. ☐ No. (If no, please explain.)

2. Corrective action recommended:

3. Remedial measures recommended:

XI. System-Wide 622/IX Planning

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Why Plan for 622/IX?

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Building-Level and Department-Level Participation

The Role of the Coordinator

WHY PLAN?

Broadly speaking, planning is directly related to any organization's survival. All organizations must look ahead, predict trends, set targets, and develop strategies and contingency plans to stay in existence. Planning serves both to increase predictability and to create a "road map" to follow in pursuing specific objectives. Organizational research shows that systematic planning substantially increases the likelihood that those targets will actually be reached.

Most organizations do direct energy toward planning when their members clearly understand and agree on the purpose of the planning and when the negative consequences of "not planning" are easy to see and clearly undesirable.

For instance, a school system will usually pay considerable attention to projecting programs and costs a year or two in advance to establish the budget. Inadequate planning would result in mayhem, with programs running out of funds during the year, continual budget-category changes, and anxious and frustrated staff. Without planning, both the internal and external environments would appear out of control and capricious.

Most school system administrators would agree that well-developed, careful, and reasonably sophisticated planning tools and cycles are their greatest ally in maintaining smooth operations, meeting problems and challenges successfully, and developing staff commitment and involvement.

WHY PLAN FOR 622/IX?

If it makes organizational sense for school systems to plan, then it makes sense to plan for Chapter 622 and Title IX. The issue, of course, is not quite so simple. Organizations will engage in planning when it covers familiar ground and people substantially agree on the issues. However, equal educational opportunity and how it is to be guaranteed are not yet highly familiar, or universally accepted areas of concern.

In such a situation, planning demands particular thoroughness, with close attention to organizational dynamics (see Chapter XII) that develop commitment and willingness to set objectives for change. The requirements of 622/IX involve institutional change, which is never simple or easy. It can be said that the more difficult the challenge, the more rigorous and comprehensive planning needs to be.

Because planning implies "increasing predictability," major change will be much less disruptive and uncomfortable when it is designed in advance. Staff know specifically what they are expected to do within a specified time-frame. Activities are delineated. Individual accountability flows from defined targets that have been mutually agreed upon in advance. Progress can be measured, and slippage and problems can be quickly identified and corrected.

Everyone involved in implementing a plan works toward the same objectives and shares an understanding of where the plan is taking them. Planning for 622/IX makes it possible to fully implement the letter and spirit of the law within the shortest time-frame, at the lowest cost, with fewest disruptions.

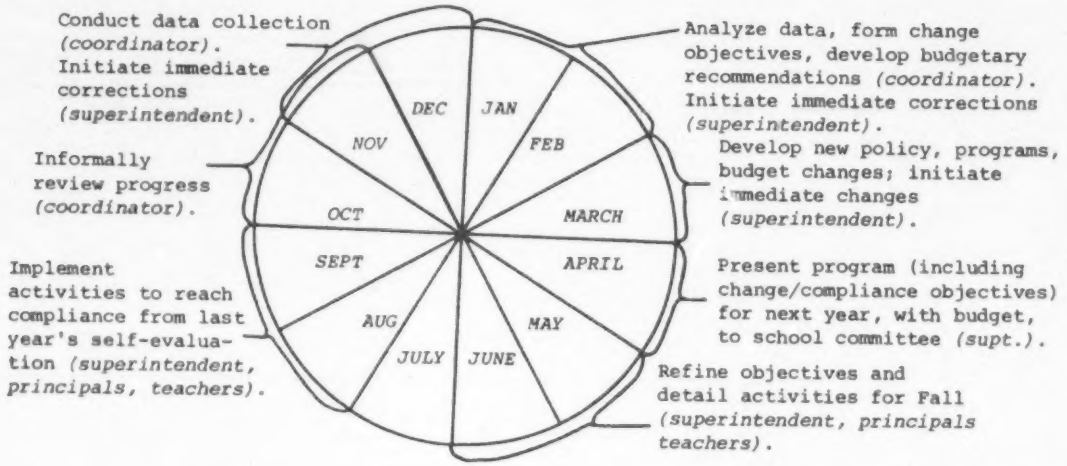
DEVELOPING A 622/IX PLANNING CYCLE

The effectiveness of the results and recommendations from the annual K-12 self-evaluation will benefit from being incorporated smoothly into the school system's planning operation both as an integral aspect of the budget and as a set of objectives for which the superintendent holds his/her office and all staff accountable.

The annual evaluation must be scheduled to allow time for building any budgetary requirements to achieve compliance into the annual budget. This is a minimum planning procedure, but, consistently followed, it will mean

that teachers and administrators do not have to worry about lacking the resources they need to correct a case of non-compliance "because there isn't money for it in the budget."

A Sample Cycle


Conduct data collection (coordinator). Initiate immediate corrections (superintendent).
Analyze data, form change objectives, develop budgetary recommendations (coordinator). Initiate immediate corrections (superintendent).
Develop new policy, programs, budget changes; initiate immediate changes (superintendent).
Present program (including change/compliance objectives) for next year, with budget, to school committee (supt.).
Refine objectives and detail activities for Fall (superintendent, principals teachers).
Implement activities to reach compliance from last year's self-evaluation (superintendent, principals, teachers).
Informally review progress (coordinator).
DEC
JAN
FEB
MARCH
APRIL
MAY
JUNE
JULY
AUG
SEPT
OCT
NOV

BUILDING-LEVEL AND DEPARTMENT-LEVEL PARTICIPATION

It is critical that teachers, principals, and other building administrators be involved as much as possible in the planning cycle. For each teacher and each principal, the annual K-12 evaluation should be a self-applied assessment instrument that leads directly into setting the next year's change objectives. This approach allows for the individualization of compliance responses.

Specific, realistic objectives that get set and accomplished year by year are far more effective than sweeping, generalized goals, which tend to slip away. The coordinator can give or sponsor regular technical assistance programs on planning techniques at staff meetings and in-service workshops. Particularly valuable techniques to develop will be how to translate "problems" or unclear goals into specific, measurable, action-oriented objectives, and how to develop realistic time-lines and contingency plans.

THE ROLE OF THE COORDINATOR

A coordinator's vantage point on 622/IX implementation is one that no one else except the superintendent will have. The 622/IX coordinator--who has interacted regularly with teachers, administrators, parents, and students in the process of disseminating information, giving technical assistance, and responding to questions and complaints--can see both patterns of non-compliance and areas of progress.

Thus, the priority and budgetary recommendations the coordinator presents to the superintendent each year after the K-12 self-evaluation should incorporate, along with the objectives of the schools, the coordinator's synthesis of the system's needs and a design for meeting those needs most effectively. This should include an evaluation of his/her own effectiveness, with recommendations on augmenting the role's effectiveness in the future.

XII. Organizational Dynamics and 622/IX Implementation

CHAPTER CONTENTS

Communications
- The Ideal Situation
- Making 622/IX Communication Effective

Leadership and Authority Structure
- Structuring the Implementation Process

System Dynamics: Internal Structure, External Environment
- Channels of Influence
- Energy and Action Centers
- Rewards and Sanctions
- The Climate for Change

Organizational Difficulties
- How Can a Coordinator Act Effectively Under Difficult Conditions?

The External Environment
- Building Good Community Relations

Individual and Interpersonal Dynamics
- Individual Change
- Group Dynamics

Resources

All administrators are aware that particular organizational dynamics and structures shape change efforts and their outcomes. An effective implementation strategy for 622/IX will reflect an understanding of how those factors operate in a particular school system.

Following is a summary of organizational processes that may affect 622/IX implementation. Coordinators may find it helpful in their planning to investigate this topic more thoroughly (see "Resources" section at the end of this chapter).

COMMUNICATIONS

The more open and accessible information channels are, the more quickly staff will become involved in implementing 622/IX goals. The smaller the system, the more easily information and new ideas flow. Interactions can be face-to-face, and this makes them particularly fruitful. Communications can work well in large systems, too, but this requires good design and maintenance.

If a coordinator finds that the school system's usual channels of communication are not getting across the equal opportunity "message" he/she may need to build more direct linkages to school personnel, students, and parents around implementation issues and procedures. The role itself puts the coordinator in a position to identify communications blocks and, with the superintendent's help, devise strategies for removing them.

The Ideal Situation

In an ideal communications situation, information flows freely back and forth, up and down throughout the system. Staff have a clear idea of what the law and the superintendent expect of them, and they exchange resources with each other and with the coordinator. The coordinator is fully informed of staff's active efforts, of areas of non-compliance, of grievances, and of progress toward objectives. The coordinator is able to communicate effectively with the state and the general community only when fully informed.

Making 622/IX Communication Effective

The following factors will enhance the effectiveness of 622/IX communication:

- Avoid legalistic and stilted language in explanations of 622/IX, while making sure interpretations are precise and correct.

- Use tone and language that will encourage staff to engage in creative problem solving and to act on their solutions.

- Assess the usual means of disseminating 622/IX information. Is 622/IX material being noticed, or is it swamped by other, more immediate, information? Does access to bulletin boards or staff newsletters involve so much red tape that the coordinator has to plan months ahead to use them? Devise ways to work through and/or around the system's information mechanisms.

- Examine the coordinator's accessibility to students, parents, and staff. Is the coordinator's office easily found and adequately equipped? Does the coordinator have a telephone? Does the coordinator's work load allow time for more than minimal response? Take steps to maximize the coordinator's availability for informal as well as formal 622/IX-related matters.

- Assess the effectiveness of past 622/IX communications. Use the annual K-12 evaluation to find out from staff how informed they feel, and whether they feel the coordinator and administrators are staying in

touch with them. When information gaps are identified, solve the immediate need, then identify and resolve the problems that caused the communication breakdown.

LEADERSHIP AND AUTHORITY STRUCTURE

Each school system evolves its own patterns and rules about "who's in charge of whom," and each superintendent brings his/her own administrative style.

In some systems, the superintendent reviews every detail of system operations and reserves most decision-making for his/her office. In other systems, a good deal of authority is delegated to building administrators.

In some systems, administrative relationships and spheres of authority are clear, and staff know to whom they are accountable. In other systems, reporting relationships are less clear, and administrators cross-cut one another's spheres of authority. In others, teachers are more or less their own bosses.

There is no one ideal administrative structure for conducting 622/IX implementation in school systems. In practice, effectiveness depends on how well the approach suits the particular system, the superintendent, and the community.

When legal compliance and simple obedience to the law is the issue, an authoritative superintendent who intends to comply with the law can get decisive results. All staff members quickly learn what they must do. This style is effective for an open-and-shut legal issue in a large, complex system with clear lines of accountability.

However, executive order is a less effective way to handle the more subtle issues of curriculum innovation and staff development, which are also part of full implementation. These issues require an understanding of how to help staff change and how to introduce innovation into a system. Motivations, incentives, rewards, and personal attitudes of staff all need to be considered. Decision making at a "grass-roots" or building level may be the approach best suited to achieving these more complex change objectives.

Recent literature on management styles indicates that a flexible approach to leadership is most effective. Directives, coaching, pace-setting, team-building and persuasion are each effective in the right situation. The different areas affected by 622/IX implementation may require particularly great flexibility from administrators in adapting their leadership styles to circumstances.

Structuring the Implementation Process

The coordinator's 622/IX implementation efforts begin with understanding the system's leadership and authority structure. The structure of lines of communication and responsibility should reflect an analysis of the following two issues:

- what the possible scope of the coordinator's influence can be within the existing authority structure;
- what compliance processes are negatively affected by particular authority relationships, or lack of them, and how to present those impediments to the superintendent so change can follow.

It is not in the power of coordinators (except for those who are superintendents) to set the leadership tone for their systems. It is in their power to complement and supplement their superintendents' leadership styles to give 622/IX the most effective system-wide impact.

Effective coordinators are sensitive to the variety of people in any given school system, and, as "organizational intermediaries," can develop change strategies designed to be most effective with those various people.

The configuration of the coordinator's role is worth mentioning in this context. Coordinators who are not in a position to share in leadership and authority structures, by proximity to the superintendent or by line authority in their own right, will have little opportunity or scope to exert effective influence on behalf of compliance.

SYSTEM DYNAMICS: INTERNAL S RUCTURE, EXTERNAL ENVIRONMENT

In developing 622/IX implementation strategies, coordinators can consider these further factors.

Channels of Influence

Every system has its own ways to "get things done," and "get new ideas across." Many of these mechanisms are informal, rather than being part of the formal authority structure. For instance:

- A particular teacher may be respected and influential by virtue of experience or personality.
- A particular department may be the key.
- The superintendent may have an informal "kitchen cabinet" of close associates and allies. They may not all be top administrators, but they are influential because they are identified with the superintendent.
- A particular school committee member may have a great deal of influence over what takes place in the system.

The coordinator can develop ways to use such informal channels of influence in implementing 622/IX, by identifying opinion leaders and personally enlisting their assistance.

Energy and Action Centers

Every school system has its "energy centers." They may be teachers, building administrators, or staff groups. Whether or not they have any formal authority and/or informal influence, they devote extraordinary amounts of creative energy to projects in which they are interested.

A resourceful coordinator will locate these "energy centers" and arouse their interest in tackling 622/IX-related projects. They might form task forces, develop curriculum, do research on resources, write a proposal, or develop a model classroom, resource center, or handbook for the system.

These individuals are usually willing to take the "giant steps," and set the pace in making a change. When an innovation has proved itself, other teachers and administrators will follow.

Rewards and Sanctions

Every organization has a network of "bonus points" and "penalty points" that includes, but is not limited to, salaries and promotions. Release time, support for graduate study, access to important information, conferences, consulting assignments, extra resources, and publicity are a few of the ways a system can reward staff.

This network should be incorporated into 622/IX planning, with attractive rewards for creative implementation efforts and, where necessary, specific sanctions for non-compliance. Most administrators do not like to discipline staff for non-compliance with 622/IX, but at some point that behavior can jeopardize the whole system's legal posture. Rather than waiting until sanctions are necessary, a superintendent and coordinator will want to develop specific incentives to reward active efforts.

The Climate for Change

While many factors influence the receptivity of a school system to new input and new educational directions, the key influence is probably the leadership of the superintendent and the school committee.

Professional commitment to non-discrimination and equal educational opportunity must start at the top. Though all staff members have their own opinions about current educational issues, most will follow the lead and priorities of the superintendent and school committee.

When these policymakers pursue the goal of equal educational opportunity in all policies and programs, they create an atmosphere in which change is encouraged and progress welcomed. Staff respond with high morale and innovative strides.

A climate for change is also created by the positive communications, decision making, and incentive factors discussed earlier.

Finally, a system that is conducive to innovation usually possesses the following characteristics:

- the planning capacity to set and meet short-term and long-term objectives;
- an internal structure that allows substantial curriculum and program development to take place without "red tape" (e.g., committees, boards, union reviews);
- significant support for change in the community itself (see "The External Environment," below).

ORGANIZATIONAL DIFFICULTIES

Coordinators sometimes find themselves in a poor climate for change. Normal communications channels may be clogged. The system structure may be highly authoritarian or bureaucratic and indifferent to equal educational opportunity. The system's management structure may be confused, with overlapping responsibilities and tangled lines of authority. Rewards may go to staff who do not "rock the boat," and innovators may even be treated as "outcasts." The system may lack the tools or skills to conduct 622/IX annual self-evaluations or to set concrete 622/IX planning objectives.

How Can a Coordinator Act Effectively Under Difficult Conditions?

Though a 622/IX coordinator may not have the authority to directly counteract indifference to equal educational opportunity, he/she can take the following steps:

- act on the legal obligation to evaluate policies and practices;
- maintain a thoroughly professional and supportive attitude toward the letter and spirit of the law while holding the coordinator's job;
- remind all personnel that the 622/IX regulations require a commitment to equal educational opportunity and that any actions taken or statements made by staff--from superintendent to para-professionals--that would undermine such a commitment are grievable offenses.

A practical approach to achieving compliance when organizational difficulties appear overwhelming is to nurture a 622/IX "mini-system" that is composed of a "core" group or "task force" of administrators and teachers who, though they may not have any formal relationships to each other in the system, share a strong concern for equal educational opportunity.

Such a task force will need to establish ground rules for its operations to avoid the kinds of organizational problems it hopes to compensate for. These rules should include selecting a chairperson whose leadership the

group recognizes. The group must take care to maintain good communications; to set specific objectives and target dates; and to establish (informal) rewards and incentives for itself. For a group like this, the preparation of a proposal for a specific curriculum innovation can be a large incentive and cohesive force.

The group should regard itself as an aid to the superintendent in fulfilling his/her 622/IX obligations, and make conscious attempts to share its energy and growing experience with colleagues throughout the system. In order to remain effective, such a task force must not become cloistered from the rest of the system.

THE EXTERNAL ENVIRONMENT

In "systems" terminology, the external environment is as much a part of any system as what happens internally. Business organizations usually view their interchange with clients and the world at large as essential to survival.

School organizations, on the other hand, have often viewed their external environment (community and parents) as a variable to be tolerated (at best). In reality, of course, the system itself has no reason to exist without that external environment.

For 622/IX, it is highly impractical to allow the external environment to remain ignorant of the existence and implications of the law. Unaware or misinformed parents and communities with little knowledge of school operations may present schools with misplaced complaints and grievances. This wastes time and energy for everyone, and cannot help but foster poor community relations.

The 622/IX regulations encourage meaningful interchange between schools and the community. In addition to the specific regulations that require systems to inform parents and the community of Chapter 622 and Title IX (see Chapter II, Annual Requirements), schools must see that parents are fully aware of their right to advocate equal opportunity for their children. Self-evaluations and other 622/IX-related documents must be available for public inspection.

The external environment can support or inhibit compliance with the law, and the potential contributions of well-informed parents and community to the system's implementation efforts should not be overlooked.

Building Good Community Relations

The coordinator is in an excellent position to build good relations with parents and the community around the issue of equal educational opportunity. Through existing community organizations and settings (for example, PTC, Parents' Night, career fairs, community groups interested in the issues), the coordinator and other educators can describe the system's active implementation efforts.

Beyond explaining the regulations and their implications, such a presentation might cover the annual self-evaluation process, the school system's objectives and progress to date, curriculum changes, and the system's approach to staff development. A presentation can also develop needed supports from the community, (e.g., more female and minority role models at career fairs, more multi-cultural, sex-fair community resources for youth).

Some systems have established a standing task force of parents, community members, teachers, and administrators to study and monitor 622/IX-related issues. Such a task force provides an excellent forum for sharing viewpoints and for disseminating information to constituencies.

Short-term task forces can research new educational developments (e.g., model physical education programs). This constructive work can supplement the efforts of the coordinator and other staff members who may lack time for extensive research.

INDIVIDUAL AND INTERPERSONAL DYNAMICS

With major system-wide responsibilities, most 622/IX coordinators cannot devote much time to teachers and administrators as individuals. Nonetheless, the coordinator needs to be alert to the impact of 622/IX at this level, because in the last analysis, change in the school system will consist of the capacity of many individuals--as individuals--to change.

Individual Change

The educational changes implicit in 622/IX may involve the individual educator personally. Such changes may call staff members' fundamental beliefs about other groups, about the roles of their own and the opposite sex, and about themselves into question. These concerns can manifest themselves in a variety of ways such as passive non-cooperation or vocal protests.

The Coordinator's Contribution

The 622/IX coordinator is under no obligation to bend over backwards to accomodate negative feelings among staff. However, he/she can consider the following questions in trying to "individualize" approaches to staff members who need extra help:

- Why is this particular person having difficulty with what is required?
- What other things does this individual want here at school or in life that can be incentives for cooperation?
- How can I reduce the threat of change to this person, without abandoning the objectives?
- What mechanisms can I use to allow this individual to "save face" and feel positive about making changes?
- What other people in the system are close to this person and can provide persuasion and support for change?

Such strategies to encourage cooperation will benefit other staff, too, because they will feel supported in their own efforts to make changes.

Nevertheless, a coordinator must keep the compliance objectives in plain view and must never confuse alternative strategies with "backing down." Ultimately, every staff member is responsible to the superintendent for his/her own stance vis-a-vis the law, and for the impact of that stance on the system's overall legal position.

Group Dynamics

Every school building houses a diverse population of administrators, teachers, and students. Among staff, there are wide ranges in personal as well as professional backgrounds and goals.

Responses to 622/IX issues are likely to differ as widely, and in any school building these differences may tend to solidify as "for" or "against" changes implied by the law. The "fors" may be those people most benefited by the law, the "againsts" those who feel negatively affected.

The 622/IX coordinator and administrators must recognize that any situation that arouses strong feelings increases the possibility of miscommunication and tension. The coordinator should help principals organize a unified effort in their schools that includes staff of all styles and opinions, who can be assisted in working cooperatively on in-service workshops, curriculum review teams, and proposal-writing sessions.

Full implementation of 622/IX regulations needs the professional commitment of all educators in the school system. It is the coordinator's special obligation to help this commitment develop.

RESOURCES

The National Education Association (1201 Sixteenth Street, N.W., Washington, D.C. 20036) and its affiliate, NTL Institute for Applied Behavioral Science, have resources on organizational dynamics in schools.

See also:

Ronald G. Havelock. The Change Agent's Guide to Innovation in Education. Englewood Cliffs, N.J.: Educational Technology Publications, 1973.

XIII. Using Resources

The coordinator and the school system have access to hundreds of useful resources on 622/IX implementation, equal educational opportunity, and sex-fair, multi-cultural curriculum.

The issue for a coordinator is not whether resources can be found but which resources will be most useful and how an information clearinghouse can best function.

How to Use the Resource List

This guide, together with Chapter 622 and Title IX regulatory and interpretive materials that have already been delivered to schools, will serve a school system adequately in putting a comprehensive implementation program into operation. The handbook cannot develop extensive detail in every area, however, and the following resources will be useful supplements. Many of these resources are available on loan, or for the asking, from regional 622 resource centers.

The resource list has been organized to assist the coordinator in judging which resources to collect and in determining the next steps to take in building a resource collection. To this end, two features of its organization are worth noting:

- The list is not extensive. It includes key resources that, if used, will provide all the information a system needs to achieve both short-term compliance and long term equal opportunity objectives.
- The list is arranged by resource organization rather than publication. Behind the publications and series noted are people and organizations with well-developed expertise in the field who can point school systems to other resources that are applicable to their specific needs.

Other Sources

Coordinators, teachers, and students will find it worthwhile to investigate resources for sex-fair, multi-cultural curriculum available in Massachusetts communities. Some college and community libraries have developed collections and displays on the history and lives of minority people and of women. Community groups concerned with equal educational opportunity have often developed informational presentations and other resources. Cultural centers, museums, and historical societies in Massachusetts have also become sources of multi-cultural programs and materials. The regional 622 coordinator can suggest area resources for systems to look into.

Establishing a 622 Resource Center for the School System

The 622 resource centers at the Department of Education's regional offices display a basic collection of resource materials. Coordinators might want to review these collections and choose five to ten key resources to be purchased for their system's 622 resource center. In choosing which and how many resources to order in keeping with budget limitations, coordinators will find that multiple copies of fewer key resources will serve much better than numerous single resources that cannot be easily loaned out to staff.

Beyond a basic circulating collection, coordinators can gather bibliographies and resource lists, and place the school system on the mailing lists of organizations to receive current materials for display.

The experiences of many school systems have shown that it is more important for the coordinator to devote energy to disseminating information and helping staff use it than to amassing and keeping track of a large collection.

American Association of School Administrators, 1801 North Moore Street, Arlington, Virginia 22207.

Sex Equality in Educational Materials, AASA Executive Handbook Series #4, 1975. (18 pages.)

Sex Equality in School, AASA Executive Handbook Series #5, 1975. (24 pages.)

Sex Equality in Educational Administration, AASA Executive Handbook Series #7, 1975. (23 pages.)

American Personnel and Guidance Association, 1607 New Hampshire Avenue, Washington, D.C. 20009.

Sex Equality in Guidance Opportunities Project, 1976.

The Association on American Indian Affairs, Inc., 432 Park Avenue South, New York, New York 10016.

Byler, Mary Gloyne. American Indian Authors for Young Readers: A Selected Bibliography. (26 pages. $1.00.)

The Clearinghouse on Women's Studies, The Feminist Press, Box 334, Old Westbury, New York 11568.

Ahlum, Carol, and Jacqueline M. Fralley. Feminist Resources for Schools and Colleges: A Guide to Curricular Materials. (20 pages. $1.00.)

Arlow, Phyllis, and Merle Froschl. Women in the High School Curriculum: A Review of High School U.S. History and English Literature Texts. ($5.00.)

Froschl, Merle, Florence Howe, and Sharon Daylen, eds. Women's Studies for Teachers and Administrators: A Packet of Inservice Educational Materials. ($7.50.)

Johnson, Laurie Olsen, ed. Nonsexist Curricular Materials for Elementary Schools. (98 pages. $5.00.)

Council on Interracial Books for Children, 1841 Broadway, New York, New York 10003.

Interracial Digest. (A review of "trade and textbooks with special concern for racist and sexist content," published eight times a year. $8.00 for individuals and $15.00 for institutions. $2.50 per copy.)

Racism in Career Education Materials: How to Detect It and How to Counteract Its Effect in the Classroom. (32 pages. $2.50.)

Education Commission of the States, Equal Rights for Women in Education Project, 300 Lincoln Tower, 1860 Lincoln Street, Denver Colorado 80203.

Equal Rights for Women in Education Project. A Digest of Federal Laws and Regulations, revised 1976. (40 pages.)

Kennedy, Jean. Equal Rights for Women in Education: A Resource Handbook for Policy Makers, 1976. (122 pages.)

Pearson, William. An Overview of Federal Court Decisions Affecting Equal Rights for Women in Education, 1975.

Raffel, Norma. Title IX: How It Affects Elementary and Secondary Education, 1976.

Massachusetts Department of Education

These resource materials are available on request from the Chapter 622 coordinators at the regional education centers and from the Bureau of Educational Information Services, Massachusetts Department of Education, 182 Tremont Street, Boston, Massachusetts 02111.

Chapter 622 Regulations.

Title IX and Chapter 622: Compliance Guidelines for Public Schools.

Equal Opportunity in Physical Education and Athletics: Chapter 622/ Title IX.

A Guide for the Evaluation of Instructional Materials under Chapter 622.

Chapter 622: Questions and Answers.

Capitulo 622 y Usted.

Student Commitment to Educational Equity.

Magnet Education Programs in Massachusetts.

A Bibliography of Multi-Cultural and Sex-Fair Materials, 1976.

Resource List of Consultants Working on the Issues of Equal Educational Opportunity.

Metropolitan Planning Project, 55 Chapel Street, Newton, Massachusetts 02160.

An Assessment of Films and Filmstrips on the Afro-American Experience. (53 pages. No charge.)

An Assessment of Materials Dealing with the Study of the Hispanic-American, Asian-American, Italian-American, and Native American Communities. (56 pages. No charge.)

Urban-Suburban Teachers in Workshops Series. Developing a Multi-Ethnic Approach Towards Teaching and Education, Selected Learning Units. (No charge.)

National Association for the Education of Young Children, 1834 Connecticut Avenue, N.W., Washington, D.C. 20009.

Griffin, Louise. Multi-Ethnic Books for Young Children: Annotated Bibliography for Parents and Teachers. (14 pages. $2.00.)

National Council for the Social Studies, NEA, 1201 Sixteenth Street, N.W., Washington, D.C. 20036.

Banks, James A., ed. Teaching Ethnic Studies, Concepts and Strategies. (297 pages. $6.00 paperbound, $7.50 clothbound.)

Grambs, Jean Dresden, ed. Teaching About Women in the Social Studies: Concepts, Methods and Materials. (117 pages. $5.95.)

Kownslar, Allen O., ed. Teaching American History: The Quest for Relevancy. (237 pages. $6.95.)

National Education Association, 1201 Sixteenth Street, N.W., Washington, D.C. 20036.

Education and Racism. (56 pages.)

Project on Equal Education (PEER), NOW Legal Defense and Education Fund, 1029 Vermont Avenue, N.W., Suite 800, Washington, D.C. 20005.

Peer Perspective. (A monthly publication that includes comprehensive updating of Title IX interpretations and rulings. No charge.)

Racism/Sexism Resource Center for Education, 1841 Broadway, New York, New York 10023.

Sexism and Racism in Popular Basal Readers 1964-1976. (43 pages. $2.50.)

Resource Center on Sex Roles in Education, National Foundation for the Improvement of Education, Room 804E, 1201 Sixteenth Street, N.W., Washington, D.C. 20036.

Complying with Title IX: The First Twelve Months, 1976. ($1.00 prepaid.)

Complying with Title IX: Implementing Institutional Self-Evaluation, 1976. ($3.00 prepaid.)

Title IX Grievance Procedures: An Introductory Manual, 1976. ($4.00 prepaid.)

Implementing Title IX: A Sample Workshop, 1977. ($5.00 prepaid.)

A Student Guide to Title IX, 1977. ($1.00 prepaid.)

U.S. Department of Health, Education and Welfare.

McCune, Shirley, and Martha Matthews. Programs for Educational Equity: Schools and Affirmative Action. (56 pages. $1.20. Stock No. 017-080-01457-2. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.)

FOR FURTHER INFORMATION CONTACT:

Bureau of Equal Educational Opportunity
Massachusetts Department of Education
182 Tremont Street
Boston, Massachusetts 02111
(617) 727-5880
Marlene Godfrey, 622 project director

Regional Education Centers

Central Massachusetts Regional Center
Beaman Street, Route 140
West Boylston, Massachusetts 01583
(617) 835-6267
Patricia Brown

Greater Boston Regional Center
54 Rindge Avenue Extension
Cambridge, Massachusetts 02140
(617) 547-7472
Mary Kay Tetreault

Northeast Regional Center
1551 Osgood Street
North Andover, Massachusetts 01845
(617) 687-3351
Natalie Miller

Pittsfield Regional Center
188 South Street
Pittsfield, Massachsetts 01201
(413) 499-0745

Southeast Regional Center
P.O. Box 29
Middleboro, Massachusetts 02346
(617) 947-3240
James Mignard

Springfield Regional Center
2083 Roosevelt Avenue
Springfield, Massachusetts 01104
(413) 734-2167
DeLois Swan